

Killings-1935

# Alabama Terror Victims Tell Of Murdered Share-Croppers

## Delegation to Fight for Southern Farmers' Rights

By BETH McHENRY

"**J**IM was jest walkin' past my brother-in-law's shack, an' the landlords shot him dead!"

Annie May Merriweather, wife of the murdered strike leader, Jim Press Merriweather, told her story to the press in New York the other day, in an interview at the office of the National Committee for the Defense of Political Prisoners.

She and two other sharecroppers, Henry Roberts and Wesley Smith, have come up out of Lowndes County, Alabama, to arouse protest against the terror used against the poor farmers in Alabama.

"They got Ed Bracey on Labor Day," Roberts related. "Bracey was a leader too. An' they calls out to him to come out, his day was come. He tried to run out the back door when they come in the front

Mrs. Merriweather told of how she had been beaten and "strung up" to the rafters by a rope. After she had lapsed into unconsciousness, she was cut down. Each member of the delegation has been victimized by the terror gang, which is made up of landlords, deputy sheriffs and hired thugs.

Asked how many strikers were farmers, and to force an end to this dead to date, since the Cotton Pickers' Strike was called on August 19th, Burke said that seven dead were known to the union, but that many Negro farmers missing since he explained, was fighting for the the terror broke out have not returned to their homes. Many of these are believed to be dead. He also said that Deputy Sheriff Addis Moseley, of Montgomery County, in the hot sun; \$1 a hundred pounds had openly boasted that the "landlords had got 15."

### Describes Terror

Mrs. Merriweather described the terror in Lowndes County:

"It opened up right after the strike. That was a week for sixty hours. August 19th. Willie Witcher was the first one they shot down. After time in New York. There will be shootin' him, they puts him in jail for 27 days—beatin' and terrorizin' him all the while.

"Then it warn't but a couple of days before they starts roundin' up to Washington to demand of Presi-

the rest of us. Huntin' Jim an' me dent Roosevelt and Secretary Per both, day an' night. An' when they kins the assurance that the farm- gits to where I wus, at my brother- ers will be protected by the govern-

Jaw's shack, they wus 25 or 30, ment against further terror.

"an' armed with guns. They stripped me an' beat me with a rope doubled four times . . . an' they struck my sister-in-law . . . an' then they hung me to the rafters. An'

when Jim comes by there, lookin'

for me, they shoots him down with- out givin' him no warnin'!"

### Hid in Swamps

Henry Roberts, 28-year-old sharecropper, told of his long hours in the cotton fields since he was "five years old." He said in all his years of work he had never earned more than fifty cents a day. He described how the landlords had come looking for him, and how he had been forced, with the other militant strikers, to hide in the swamps for days at a time.

"They got Ed Bracey on Labor Day," Roberts related. "Bracey was a leader too. An' they calls out to him to come out, his day was come. He tried to run out the back door when they come in the front

when we looks at his body after he was cut down. Each member of the delegation has been victimized by the terror gang, which is made up of landlords, deputy sheriffs and hired thugs.

Thomas Burke explained the purpose of the delegation: to fight for the constitutional rights of Alabama

the brutal reign of terror which has been unequalled in Southern history. The Share Croppers' Union

many Negro farmers missing since he explained, was fighting for the most basic rights. Their demands turned to their homes. Many of these are believed to be dead. He also said that Deputy Sheriff Addis

day for ten hours of cotton picking on those plantations where they pick by weight, and 20 cents an hour for a forty hour week for relief workers, who have been get-



A family of Negro sharecroppers before their shack.

## DEPUTIES IN ALABAMA KILL ONE; SHOOT 2

### Revolt Against Starvation

### Wages Causes Trouble

HAYNEVILLE, Ala., Aug. 30.—Revolting at 40 cents a day from deputes' revolvers. They said he was a Communist and had incited the humble workers to put up a strike. His body was riddled in a hail of bullets for picking cotton in the 40 cents a 100 being paid in Lowndes county.

Jim Press Merriweather is dead. His body was riddled in a hail of bullets for picking cotton in the 40 cents a 100 being paid in Lowndes county.

every time he fails to remove his battered cap in their presence with in alacrity that belied his innermost feelings.

Police sought to establish the fact that Merriweather was working in league with some whites affiliated with the Red organization who flooded the countryside with "inflammatory" literature, but were able to show only that his efforts were to urge ragged, abused, half-starved Race farm hands to seek a pay increase from 40 cents to one dollar a day for common labor, and increase of cotton picking wages of from 50 cents to one dollar a hundred pounds.

Sheriff Bob Woodruff's accusation that Merriweather fired from ambush and wounded a Race woman working on the Bates plantation when the woman refused to strike, was regarded as an attempt to whitewash the slaying and block any move for an investigation.

Merriweather was captured by a posse near Sandy Ridge, the sheriff said, and while being returned to the highway along a country road suddenly broke from the posse and leaped into a ditch in an effort to escape the wrath of the enraged men. The men, he said, had hidden a gun in the ditch at this point, but no gun was found. The posse crowded down on the man and his body was riddled with bullets from the four men who had taken him in custody.

Meanwhile, the hunt for a Race man named Roper also accused of having fired from ambush, was continued. Lassick, employee on the Robert Merriweather place, was shot while picking peas but other farmers near here hesitate to accept the story that he was wounded by Communist organizers who warned him that he would be killed if he went into the fields to work.

The sheriff said that insofar as he knew, complete order had been restored in the county but was silent on the question of what kind of justice would be meted out to the Merriweather slayers.

Those on the N. J. Bell plantation, It was reported, had been threatened with death by the "organizers" if they resumed cotton picking, but the plantation workers admitted they had been forced to say they had been threatened.

They insist they want \$1 a hundred for picking cotton in lieu of the 40 cents a 100 being paid in Lowndes county.

Only one arrest has been made, the sheriff announced. The prisoner is Willie Witcher, who was taken into custody on the Bell plantation

for the Share Croppers' Union in their fight against the terror in Alabama. The delegation will then go to Washington to demand of Presi-

Killings - 1935

Alabama

# Negro Cropper Murdered On Alabama Prison Farm

## News of Death of Alf White, Hero of Reeltown, Follows Announcement of Killing of Wadkins, As Terror Continues in Cotton Belt

Alf White, one of the Negro heroes of the Battle of Reeltown, Ala., in December 1932, when Negro croppers courageously defended themselves against an armed attack by deputies, has been foully murdered on an Alabama prison farm, the national office of the International Labor Defense charged yesterday.

News of White's death, received in New York Saturday, followed on the heels of the announcement by Sheriff L. N. Autrey of Butler County, Ala., of the finding of a bullet-riddled body, believed to be that of Alf White, who was a prisoner at this prison.

County, Ala., of the finding of a bullet-riddled body, believed to be that of Alf White, who was a prisoner at this prison.

"We found his body today in a well at his place of duty. A coroner held an inquest and found that he met death by accidentally falling in a well."

The death of Alf White, at Atmore Prison Farm, Alabama, has such that demanded interment at once. He was buried today in our prison cemetery.

"Of course, we regret this occurrence, but for your consolation let me say that he was a good prisoner."

Mrs. Sallie White, of Notasulga, Ala.

White was one of the five Negroes sentenced to long prison terms after the Battle of Reeltown.

The four other croppers are still in jail.

That White came to his death by "accidentally falling into a well," is the strange contention made by C. S. Kelly, warden of the prison farm. The body was immediately buried by the prison authorities without permitting relatives of the dead worker to see the body. R. W. Brooks, notary public and ex-officio Justice of the Peace, obligingly signed a document for Warden Kelly, stating that in his opinion it was not necessary for a coroner's jury to render a verdict in the case.

Recall Mured of Cliff James

Wife Notified After Burial

Mrs. White was notified of her husband's death and hasty burial in the Battle of Reeltown—the same in a letter from Warden Kelly, which is characterized by the I.L.D. imprisonment. James, as "a model of unfeeling coldness—wounded by the gunfire of deputies and evasion." The letter, dated Sept. 22, is addressed to "Sallie made his way to Tuskegee Institute, White, colored," and opens without where he was turned over by Tuskegee officials to the sheriff. He salutation, since the Southern ruling class of manners does not permit the use of such appellations as "Mrs." or "Madam" when addressing other croppers.

James died in prison a few days ago, ordered to take place on Oct. 11, after his arrest. During the trial of the croppers at Dadeville, Ala., Dr. Eugene Dibble, who had treated James at Tuskegee, testified that when he examined James he found only one bullet in his body. After James died in jail, examination revealed two bullets. The second could only have been inflicted in prison.

## Elmore County Deputy

### Shot By Negro At Still

#### Terror Still Continues

The terror against the members of the Sharecroppers' Union dramatically expressed in the Battle of Reeltown, has never subsided. Wadkins, whose bullet-riddled body is tied negro who shot and wounded Deputy Sheriff Herbert Richardson as he and Marshal Willie Carlton attempted to seize him in operating still.

The deputy was sprinkled with blood-shot and his skin badly lacerated. His condition, however, was not regarded as serious. As soon as the shooting was reported at Wetumpka a posse went in search of the negro.

The officers were reported to have turned the negro's fire and it was believed that he may have been wounded.

## Elmore Deputy Sheriff

### Is Wounded By Negro

WETUMPKA, ALA., Nov. 19—(Special) —Deputy Sheriff Hubert Richardson, of Elmore County, was wounded, not seriously, last night during a raid on a liquor still in the Redland community section. Leon Colquitt, negro, is held in the Wetumpka jail accused in the shooting.

Deputy Richardson and Marshal Will Carleton attempted to seize Colquitt and three other negroes at the still, officers

An unidentified negro was sought by three other negroes at the still, officers police today in the unexplained shooting of Sam Pilato, 65-year-old Italian grocer, as he stood in the doorway of his home. Pilato was described as in serious condition today.

None of the Pilato family could explain why the negro shot the elderly grocer, who said so far as he knew he had never seen his assailant. Mrs. Pilato was shot in the abdomen and legs but said there was no exchange of words between her husband and the negro before the single shot which struck Pilato in the chest was fired.

## Doomed Negro's Appeal Postpones His Execution

Filing of an appeal to the Alabama Supreme Court in the case of Ed Lee Summerville, Pickens County negro, convicted of the murder of Deputy Sheriff B. C. Johnson, and sentenced to death, has automatically suspended execution of the death sentence which was set for Nov. 30. The appeal has been filed by the defense, and the court has not yet ruled on it. Summerville was convicted and sentenced on Aug. 28, 1935, his execution be-

# Negro On Trial In Barbour Slaying

12-4-35  
EUFAULA, ALA., Dec. 3. — (P) — The dying statement of Will C. Britt, naming Nathan Beauchamp, ~~negro~~, as his slayer, was introduced in evidence today as the negro faced a Barbour County jury on charges of murder.

The negro with 25 special officers on guard to preserve order went to trial today for the slaying of Britt, a filling station operator, on the highway on Oct. 19. There was no disorder attending the trial, but spectators were searched on entering the courtroom.

The statement was introduced through the testimony of Dr. W. A. Britt, who attended the man after he had been wounded. The physician testified a few minutes before Will C. Britt died, he had named Beauchamp as his slayer.

Medical experts testified that Britt had three bullet wounds in his chest. The negro, they testified, was wounded three times, one bullet penetrating the chest; another the shoulder, and a third the right arm.

J. H. Gordon, witness to the shooting, told the jury the shooting occurred so quickly that he could not tell whether Britt or the negro fired first.

The State rested late today, and all the evidence was expected to be completed before noon tomorrow.

The physician who attended Beauchamp at Kilby Prison, Montgomery, for safe-keeping when threats were heard here after the shooting, has been summoned to testify.

## 9 Post Bonds In St. Clair Slaying

PELL CITY, ALA., Dec. 7. — (P) — Nine men indicted this week on charges of murder in the slaying of a union miner during disorders in St. Clair County coal fields posted bond of \$5,000 each this afternoon and were released. 35

The men were, Charles Shepherd, superintendent of the Acmar mine of the Alabama Fuel and Iron Company, F. R. Bell, general manager of the company, H. C. Grawright, James Coupland, Garfield Hammock, John Rich, Bob Ferguson, and C. C. Garrison.

The men were charged with slaying Virgil Thomas, member of a union motor caravan advancing on the Acmar mine "to organize it." Thomas was killed near White's Chapel where a group of men halted the caravan.

Judge Alto V. Lee, presiding, said date for the trials would not be set until after Jan. 1, when he and the senior judge of the circuit confer on the matter.

The grand jury which indicted the nine men returned another true bill today, naming nine union miners of Jefferson County on charges of conspiracy and unlawful assembly. The grand jury, third to sit here and investigate the disorders, had returned the indictments charging murder in a partial report made Thursday.

Whether the indictments here will stand was a moot question in legal circles as the grand jury was drawn to sit in the northern judicial division of the county and was convened here at its own request Monday.

tive held two separate conferences with he did not expect to take part in wage Atty. Gen. Carmichael and Asst. Atty. Gen. C. L. Rowe who was assigned to the St. Clair case by Mr. Carmichael, and who was in attendance during the inquiry by the county grand jury this week into the shooting and mortal wounding of Virgil Thomas, union miner, while he and a number of other men accompanying him were making an "organizing" trip into St. Clair and were approaching the county's coal mining section.

## Indicted One Unnamed

No announcement has yet been made of the name of the person indicted at the recent grand jury session, on a charge of second degree murder in connection with the shootings which occurred on October 28, after the general strike of union coal miners in Alabama had been in effect for about a month, with mine operators offering to renew last year's contracts and miners demanding wage increases.

The grand jury session that has just adjourned, was called at the request of Gov. Graves, made immediately after he had been informed while he was in Washington on official business, of the St. Clair clash. With that request went another that a complete and thorough investigation be made of the affair so as to "get to the bottom" of it.

Atty. Gen. Carmichael, who directed the investigation by the grand jury that has just been discharged by Judge Lee, expressed disappointment at Pell City Wednesday night at the action of that body which returned but one indictment.

## E. F. McGrady Here

Meanwhile Edward F. McGrady, first assistant U. S. Secretary of labor, said here yesterday that mine operators and members of the United Mine Workers of America had agreed to reopen conferences looking toward settlement of Alabama's two-month-old coal strike.

"Both sides have agreed to reopen," McGrady said, "and the operators' negotiations committee has a meeting scheduled tomorrow (Friday) at which time a conference date possibly will be set."

McGrady, considered the Labor Department's ace trouble-shooter, dictated his statement to newspapermen after a conference with Gov. Graves and John R. Steelman, Department of Labor commission of conciliation.

The Governor did not comment on the conference and McGrady said he merely "reported" to the chief executive on developments in the coal fields "in a general way, telling him what I had found during my recent investigation there."

## Warns Both Sides

Referring to his conference with Birmingham operators and miners, McGrady said that he advised both sides "they'd never get anywhere by adjourning wage conferences and staying home."

The assistant secretary said he would leave Montgomery at 11 p.m. via train for New Orleans to investigate the strike of the International Longshoremen's Association at ports along the Gulf of Mexico. 11-8-35

After a 24-hour stay in New Orleans, McGrady said he expected to return to Birmingham "to be available in the event I can be of any assistance in settling the coal miners strike here."

Steelman, commenting that "as long as they'll sit down and talk things over, there's hope," said he would return to the Birmingham district tonight although

## Governor Calls St. Clair Court To Sift Shooting Action Follows Appeal By Attorney General After One Indictment In Death

## 11-8-35 New Grand Jury Labor Department Sends McGrady Here, Reports 2 Sides Will Arbitrate

PELL CITY, ALA., Nov. 7.—(P)—John Rich, miner employed by the Alabama Fuel and Iron Company, was arrested late today on an indictment charging second degree murder. The indictment was returned by the special session of the St. Clair County Grand Jury which investigated the slaying of Virgil Thomas, union miner, in a clash between union and non-union miners near Acmar, Oct. 28.

Nine men were charged with murder by a coroner's jury which investigated the shooting, but Rich was the only one indicted by the Grand Jury. The name of the man indicted was not revealed until the arrest. Chief Deputy Sheriff G. R. Lovell said Rich was released under \$3,000 bond, after his arrest.

On recommendation of Atty. Gen. Carmichael submitted immediately upon his return from Pell City, Gov. Graves yesterday afternoon requested Judge Alto V. Lee, of Gadsden, to convene the St. Clair Circuit Court in special session for the purpose of investigating the recent fatal shooting of one union miner and the wounding of seven others, which occurred in the mining section of St. Clair County.

The special session, the Governor said, will necessitate the impanelling of a new grand jury. Setting of a date for the session to convene is a matter for Judge Lee, in the exercise of his discretion, to determine, it was pointed out. Asked if he did not mean the new grand jury would reinvestigate the shootings, in view of the returning of one indictment during the special grand jury session at Pell City this week, Gov. Graves recalled the word he used as "investigate."

Yesterday afternoon, the chief executive

Alabama

Killings. 1935

# SHERIFF'S SON IS SLAIN AS CLIMAX TO ROW IN CAFE

Post 4-1-35  
Mike Mulligan, Ex-Partner And Pal Of Dead  
Railroad Special Agent, Said To Admit  
Slaying But Refuses Explanation

## VICTIM SAID NEGRO THIEF SHOT HIM

Witnesses To Affair Contradict Deathbed  
Story; Declare Bullet Was Fired At  
Peak Of Argument; Cause Unknown

Investigation of the fatal shooting early today of Fred H. (Little Fred) McDuff Jr., special agent for the Frisco Railroad and second oldest son of Sheriff McDuff of Jefferson County, this afternoon centered on determining the motive of his admitted slayer, H. T. (Mike) Mulligan, his friend and former partner.

In County Jail on a charge of murder in connection with the shooting, Mulligan was quoted by Deputy Sheriff George Houtz as admitting the shooting but refusing to state a motive.

The 33-year-old prisoner, also a special agent for the Frisco, declared he was "too shot to pieces" to make a statement. He was denied bond.

McDuff, 26 years old, was shot during an argument but said once through the body, he was about. The cafe operator said that bullet entering above the abdomen in the restaurant at the time he died in Hillman Hospital at 4:07 a.m. The shooting took place at 2:30 a.m. in the restaurant operated and A. T. Brown, Department of Public Welfare worker, Philadelphia, Pa.

While Mulligan was said to have McDuff's gun was not drawn when he was shot.

McDuff in an argument, Brown said he heard a shot fired "about their work," the latter but did not see who fired it. Steadfastly maintained before his Stewart, he declared, told him to death that he had been shot by a Negro trying to break into a box while he was dialing the phone.

Bookout, Birmingham, told him that Mulligan was police officer, declared.

Gets Dying Man's Thanks

Bookout said that McDuff shortly before dying thanked Mulligan to go home about three minutes for giving him a drink "or he would not have lasted that long." Mulligan

All Were Friends

took the sheriff's son to the hospital. "We were all good friends and

there was no trouble between them

Stewart said Mulligan fired one

when I left," he said.

Mulligan was arrested at the hospital by Officers H. G. McNeal and Mr. and Mrs. Charles K. Hall. Mulligan's burial will be in Elmwood Cemetery, Johns in charge. He said the special officer's gun smelted on recently fired gun powder.

From Birmingham Headquarters Mulligan was taken to the County Jail and docketed for "murder" by Deputies George Houtz and Homer Badger and Detective J. T. Moser. He gave his address as 1217 15th-av. s.

'Couldn't Have Killed Him' "I would have rather killed my own brother—I couldn't have killed him," the prisoner said while emphatically refusing to make a statement.

"We worked together for two years or more until about a month ago," Mulligan said. "I had seen the boss about us working together again.

"I am not going to say anything now because I'm shot to pieces. Sallie Hudgins, the Negro's wife, might wake up and find out that that her husband had threatened what I told you was wrong."

Shortly after 7 a.m. Robert E. McAdory, assistant solicitor and Gip M. Evans, county investigator visited Mulligan and told him that being held in jail in custody of the sheriff did not mean that he would not be entitled to usual jail privileges.

He would be permitted use of a telephone and a lawyer, they said.

Former Jail Warden

McDuff had been with the Frisco for three years. Before going with the railroad he had been a warden at the Southside Jail for three years. He lived at 1709 27th-st. n. Mulligan has been with Frisco about four years.

McDuff is survived by his wife, Mrs. Beth Hall McDuff, two children, Fred III, three, and Gloria, one, by his parents, and seven brothers and three sisters.

The brothers and sisters are, Milton, DeForest, Oliver, Jack, Elbridge, Wilbur, R. H., Mrs. George Barr, Mrs. John McMath and Mrs. Lanier Ware.

Knew 'When He Was Licked'

Young McDuff died before dawn in Hillman Hospital with his father and a sister at his bedside. Death came before his wife and mother arrived.

To his father and sister, Mrs. McMath, he declared he "hated to leave because of poor Beth (his wife) and the kids."

"You're not going to leave them," his sister said.

"Yes, I am," he replied. "I know when I'm licked."

The tragedy brought hysteria to the mother and wife. Sheriff McDuff, the father, was strongly affected as were other members of the family.

Funeral services will be held at

4 p.m. tomorrow from 1116 29th-st. Sallie had complained to him that her husband had threatened her by Officers H. G. McNeal and Mr. and Mrs. Charles K. Hall. Going to the home with the Negro's wife, Officer Stapp reported that Hudgins fled and refused to halt after he fired five shots into the air.

The policeman's report stated that when he came within 10 feet of the Negro, the latter turned, advanced toward the officer with his hands behind his back and refused to raise his arms.

the fatal shooting of John Henry Hudgins, Negro, by Police Officer P. L. Stapp Tuesday was returned yesterday by Gip M. Evans, county investigator.

Officer Stapp said he fired as the Negro made a gesture with one of his hands. A four-pound piece of iron ore was reported found in the Negro's possession.

## TWO NEGROES SLAIN

Eddie Lee Colman, 33-year-old negro, was shot and instantly killed at Holt and Sudie Streets at 6:15 p.m. yesterday. Charlie McCall, negro, 203 Holt Street, surrendered to the police and asserted that he fired in self defense. Sheriff's deputies also reported the fatal shooting yesterday afternoon of Owens Mathews, negro, whose home is near the city on the Mobile Highway. The shooting occurred seven miles west of here at 4:30 p.m. on the Brewer Road.

Deputies said they were seeking F. M. Kelly, an negro in connection with the crime.

## NEGRO STABBED TO DEATH

Cornelius Williams, negro, 12 Stern Street, later Officers Dees and Perry arrested Freddie Lee Scott, 19-year-old negro, on a charge of murder.

## PROBE NEGRO'S SLAYING

Coroner Gip M. Evans today placed on the grand jury aocket for investigation the fatal shooting last night of Leonard Spinks, Negro by John Martin, pharmacist at Winslow, 201 16th-st. Mr. Martin told police he shot the Negro when the man threatened him and reached for a weapon.

Self Defense Is Pleaded In Report Given By Pistol Champion

Coroner Gip M. Evans today was investigating the slaying last night of a Negro in North Birmingham by Officer P. L. Stapp, champion pistol shot of the Police Department.

The Negro was identified as John Henry Hudgins, 29, of 3725 29th-av.

He was killed after a chase by the officer between 26th and 28th-sts in the Southern Railway

arrest and threatened lynching of Walter E. Brown, messenger.

Rome was shot down by police-man C. A. Nollner, who charged

in a report to superior officers

Funeral services will be held at

Officer Stapp said the Negro's wife

6

the Negro worker because he was pital that Mr. McDuff suggested Hearing on the motion was set for carrying a package. Nollner gave they contend the shooting was by a May 22, date of trial for the accused the routine story of "resisting ar-Negro, Mr. McAdory quoted the negroes, rest," claiming Rome attacked him prisoner as saying.

with a knife. The police department has made no move to investigate the killing.

Brown, a 23-year-old youth, has been removed to Jefferson County jail for "safekeeping" after his chief deputy sheriff, and A. B. Hale voice was "recognized" by a white court reporter. woman, who reported an attempted assault on her on a lonely country road. The woman, Lucille Bailey, and her escort, Gavin Howton, told Solicitor George Lewis Bailes to a mixed-up story of the alleged assault, their only description of their supposed assailant being "the dark form of a Negro." Although in their original stories neither

Before the request was made mentioned being addressed by their Mr. Bailes declared the Grand Jury assailant, they later, under police guidance, "identified" the voice of Brown. Before the request was made

This latest lynch frame-up follows a series of militant labor struggles in Bessemer in which Negro and white workers joined together to fight for better conditions.

## M'DUFF SLAYER PLEADS CAUSE Post

Mulligan Says Sheriff's Son  
Was Accidentally Slain  
In Attempted Joke

Hubert T. Mulligan was said by the solicitor's office today to have attributed his fatal shooting of Fred H. McDuff Jr. to a "faked" argument between the sheriff's son and himself to frighten C. B. Bates, another Frisco Railroad officer. Coroner W. R. Chisolm returned

## Mobile Negroes Enter Jury Exclusion Appeal

MOBILE, ALA., April 16.—(AP)—Bas-

Mr. Bates said Saturday he had the claim on the charge that negroes were excluded from jury service. He left the cafe at 1220 Arkadelphia Rd to go home before the shooting occurred. Mr. McDuff was wounded at 2:30 a.m. Saturday and died at 4:07 a.m.

### Admits Drinking

Mulligan, Mr. McAdory declared, said he had had "10 or 12 drinks" and that Bates was "pretty well loaded."

The assistant solicitor quoted slaying of Neil Sanne, a storekeeper, as saying that Bates and the wounding of his wife during a holdup. about 11:30 p.m. and had started. The action marked the first of its kind since the recent Supreme Court decision in the Scottsboro case.

Mr. McAdory said Mulligan de- clared he did not remember giving the wounded man a drink while on the way to the hospital, as reported.

It was on the way to the hos-

Present with Mr. McAdory when the statement was made in Jefferson County Jail were Detectives Woodie and Virgil Sandifer, and Ben F. Walker, C. E. McCombs.

Woodie and Virgil Sandifer, and A. B. Hale, were excluded from juries and the plea of Gov. Graves to place the names of negroes in the jury boxes in Alabama.

Later, H. Austill Pharr, chairman of the Mobile County jury commission, announced that more negroes' names would be included in the jury panel to be re-

called, pending reindictment, when their attorney raised the question of absence of negroes from the jury rolls of the county in demurrers to the indictments.

Miss Rosa Gerhardt raised the question on which death sentences of two of nine negro defendants in the "Scottsboro case" were reversed by the United States Supreme Court, in behalf of R.

P. Vaughn and Frank Millhouse, charged

with murdering Neil Sanne, a grocer,

in he had been pursued over a 20-mile

course for more than six hours, James

McIntyre, 21-year-old negro of Sellers

Station, surrendered to Sheriff's Depu-

ties Frizzle and Sellers on a charge of

slaying Anderson Foster, a negro, over

a five-cent debt.

Foster, deputies said, was stabbed to

death at Sellers Station early yesterday

after he and McIntyre had argued over

payment of the small debt. McIntyre

filed, and at 2:30 p.m., the deputies began

pursuit with a number of bloodhounds

obtained from Kilby prison.

At 8:30 p.m., McIntyre was treed be-

tween Ramer and Red Level. The negro

clung to a limb on the tree until the

officers arrived and chained the dogs.

McIntyre, the deputies and the dogs

were said to have been physically ex-

hausted when the chase ended.

One of the bloodhounds was lost dur-

ing the man-hunt and officers have re-

quested that they be notified if the ani-

mal is found.

Officers said the victim, whose wife

and son were spending the weekend away

from home, was found by a passerby

in his yard a few feet from his residence

with his head badly cut and battered.

Coroner W. R. Chisolm returned

and livery stable employee, Sunday.

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Officers said the victim, whose wife

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Killings-1935

Alabama

## Couple Killed At Fort Deposit In Mystery Slaying

John E. Norman And Wife

Die In Shotgun Attack

Near Home Of Neighbor

6-21-35  
E. N. Arant Held

Montgomery

Power Company Manager

Placed In Montgomery

Jail Following Tragedy

FORT DEPOSIT, ALA., June 20—(Special)—Practically every citizen of Fort Deposit and surrounding country was aroused tonight by the slaying, under mysterious circumstances, of John E. Norman and his wife at the home of E. N. Arant, 35, local manager for the Alabama Power Company. Norman, prominent druggist here, was found dead from gunshot wounds about 9 o'clock to night just outside the front yard gate of Arant's home. Mrs. Norman, who is a sister of Mrs. Ora Belle Crum, 25 man home and requested that Mr. and of Black and Glass where Coroner Em-LeBron Avenue, Montgomery, was found Mrs. Norman visit him. Norman and his wife responded promptly and drove to held.

Arant, sought vainly for four hours, telephoned to Buck Meadows, former located on the old Montgomery High-sheriff who was appointed acting deputy way, are about 300 yards apart. last night to investigate the double Nor- Leaving their car at the curb, the man slaying and he was arrested at 1 parking lights burning. Mrs. Norman a.m. at the home of J. M. Pickens, walked up the steps of Arant's home, where he had fled with his wife and Her husband stepped from the machine and followed.

Arant was rushed to Montgomery by Acting Deputy Meadows and Coroner E. Sheehan, Arant, questioned by an reporter at the county jail tonight, but neighbors heard three re- here at 2 a.m. today, shook hands warmly but declared that he "had no state- ment to make."

Arant, of small stature and dark complexion, looked toward the floor as he entered the jail and immediately acknowledged introductions to several deputies and the night warden. He stood aside, quietly, until placed in a cell by Warden Ray Guice.

Coroner E. E. Sheehan, of Lowndes County, said that he would sign a warrant today charging Arant with first degree murder.

Coroner Sheehan said that Mrs. Norman was shot at close range and that the entire load of buckshot entered her

abdomen, with some of the shots emerging through the back. Mr. Norman, he said, received 10 shots in the chest and found Mrs. Norman's body upon the "seven or eight" in the back near the shoulder. Norman, in his opinion, was turned around when struck by the first shot, causing the second to strike him in the back.

Both Coroner Sheehan and Acting Deputy Meadows said that the case was the "most mysterious" that they had worked on in many years. They said or three citizens who had been attracted they had talked with scores of Fort Deposit citizens and that none knew, or Cecil Hawkins, fertilizer dealer who had ever heard of, any difficulties between the two men or members of their Norman's car at the curb, the parking lights on.

Coroner Sheehan said that when he and Meadows arrested Arant the latter before we did," he said. "Both Mr. and seemed to be "under the influence of Mrs. Norman were dead from buckshot liquor." The coroner added that he could not say that Arant "was drunk."

Mrs. Arant and the three children were permitted to remain at the Pickens home. Evidently they walked

or were picked up by some friends, as, so far as we know, they have no automobile.

"Of course, we do not know if Mrs. Arant and the children were home at the time. Some of the folks near the home said they thought they saw them walking along the street. But they were not certain.

"We found three empty shotgun shells on the porch near Mrs. Norman's home. They evidently were the ones used. Inside the house in the kitchen, we found a shotgun. It was loaded with two shells. Except for that, no one in Fort Deposit seemed to know what it was all about."

The bodies of Mr. and Mrs. Norman were taken to the funeral establishment of Black and Glass where Coroner Em-LeBron Avenue, Montgomery, was found Mrs. Norman visit him. Norman and his wife responded promptly and drove to held.

Mr. Norman, 40, was a native of this community and was highly esteemed by his friends and customers. His wife, a daughter of E. D. Scarbrough, for many years an official of Lowndes County, was also popular here. Before her marriage she taught at the Herron Street School, at Montgomery.

Surviving are her parents, Mr. and Mrs. E. D. Scarbrough, of Hayneville; a brother, Emmett Scarbrough, Jr., of Hayneville; two sisters, Mrs. Ulrick Canterbury, of Fort Deposit, and Mrs. Ora Belle Crum, of Montgomery; an aunt, Mrs. Paul Peavy, of New York, and four uncles, J. M. Garrett, of Montgomery, E. D. Garrett, of Birmingham; J. E. Garrett, of Hope Hull, and W. Will Garrett, of Lake Charles La.

Arant was likewise well known in Fort Deposit where for the last four or five years he had been local manager of the Alabama Power Company.

"Something terrible has happened," he was quoted as saying to Dr. Lee. "Get five or six of your friends and come to me at once." He was said to have hung up the receiver without explaining. He told the sheriff that he "had better come over."

Several Drive to Home

Taking Arant at his word, Dr. Lee

## NEGRO HELD FOR MURDER IN 1932

Advertiser  
Fingerprint Survey Reveals  
Identity Of Man Working  
In Road Camp

his slayer also shot and wounded the sheriff, who died of his wounds more than two years later. Somerville is already under indictment for the murder of the deputy, and another indictment will be returned against him for killing the sheriff, it is understood, at the next meeting of the Pickens Grand Jury.

DEPUTIES LOSE NEGRO,  
FIND MURDER SUSPECT

Pair's Trip to Eufaula Not Entirely In Vain

Through U. S. Army fingerprint records, a negro who was tried and convicted in Montgomery County in 1932 was looking for in Eufaula but the name of James Glenn, has been identified as Lee Somerville, charged with the murder of the then sheriff of Pickens in 1926. The two deputies went to Eufaula and one of his deputies in 1926, Jernigan, Negro, whom they had it was announced by State prison officials yesterday.

Their quarry wasn't there but He will be placed on trial at the special term of the Pickens Circuit Court, which has already been called.

Somerville, it is stated, does not deny either his identity or the shooting. He has made a statement admitting both it was learned last night, declaring that through he knew he had shot the officers he did not know he had killed either of them.

Formerly an employe of the sanitary department of the City of Columbus, Miss., Somerville, it is said, came from there to Pickens County across the State line, bringing with him a negro girl some 14 years of age. Columbus officers telephoned the Pickens sheriff telling him where he believed the negro and the girl white boy, was tried for the killing were hiding, and asking the Alabama officer to take them into custody.

Taking a deputy with him, the sheriff proceeded at once to the house indicated. As the deputy approached the house, he was fired upon from a front window and fell mortally wounded by a charge of shot from a shotgun. Hurting to his deputy's assistance, the sheriff was set by a second blast from the gun, which caught him full in the chest, and he too fell.

Their assailant fled and all efforts to locate him failed the defense from presenting evidence that meant life or death for nine black boys. This was Judge W. W. Callahan. Early in July, Callahan will hear the attorneys for the International Labor Defense

plead that bail be set for two of the boys, Willie Roberson and Olen Montgomery.

Somerville alias Glenn, who following his conviction here on Nov. 21, 1932, was given a prison sentence of from three and a half to four years, has been working at a State road camp located near Scottsboro where, it is understood, he awakened and informed that they had the status of a "trusty." It was during a check of prison fingerprint records with similar records of the U. S. Army, at the camp last week, it was stated, that the negro was identified as Somerville.

As a precautionary measure, he was immediately transferred to Kilby Prison where he is now confined pending his transfer to Pickens County for trial. At the time the Pickens deputy was killed

# Body of Willie Foster, Missing Negro, Believed Buried by Cops Who Handed Him to Vigilantes

SELMA, Ala., July 1.—The body of a Negro was reported found on the Summerfield road near here and hurriedly buried by police who threatened Negro people living in that vicinity not to tell. Workers here believe the body to be that of Willie Foster, militant Negro worker and International Labor Defense leader from Birmingham, missing six weeks.

Foster has not been heard of since the police turned him over to the landlord vigilantes for "treatment" on the night of May 19. Foster had been in Selma only an hour. He went there to investigate a chain gang at large but Georgia terror conditions and was lifted off chain gangs also harbored fugitives from the main street by Selma cops. His continued absence verifies the belief that he was murdered by the terror gang outright, or else beaten so brutally that he died as a result of the wounds inflicted.

It is known that the police here fear an investigation into the disappearance of Foster. They have received numerous wire and written protests, naming police among six prominent Selma shopkeepers and local landlords as members of the terror gang. They cover their own uneasiness with continued threats and bullying acts against the Selma workers. All trains are watched for outsiders who might bring assistance to the terror-infested community of Negro workers. A local worker reports that "the landlords say that if any of them Reds come down here any place that they were going to kill them."

Meanwhile, six share-croppers remain in the Selma jail. The I. L. D. sent a lawyer into Selma to defend them, but the lawyer was informed by Selma authorities that the prisoners had been released.

The Selma terror is the direct result of landlord reaction to the organizing of the cotton choppers into a militant strike struggle under the leadership of the Share Croppers Union of Alabama. In Dallas County, of which Selma is the county seat, as elsewhere in the Black Belt, the poverty-stricken choppers were successful in winning their demands for dollar-a-day wages (ten hour day in the hot sun) on over 30 plantations. Previously they had worked for 35 cents a day, top price.

The terror unleashed against the workers by the police and landlords is an indication of the extent to which they fear the organization of the exploited Negro and white masses in the Black Belt.

All workers are urged to rain pro-

tests upon Mayor Burns, Selma, Ala., upon Sheriff Reynolds, Selma, Ala., and upon Governor Bibb Graves, Montgomery, Ala. Demand arrest and prosecution of the murderers of Willie Foster! Demand an end to landlord and police terror against the workers and farmers of Dallas County!

The third disturbance took place in the Gordon vicinity on the James Wil- loughby place where, after a party of five negroes creating a disturbance sent \$2.50 out of his pocket, handed it to Estes, back defiant word when he ordered them to leave, ganged him when he went in person to order them off, and stumbled. Four of the negroes are in jail here; the fifth escaped into Georgia.

The young farmer was carried to the Tallassee Hospital before noon, and he died there at 5 p.m.

A search for the negro was launched by Sheriff Austin, Chief Deputy Herbert Richardson and citizens. Harrell gave up to a Mr. Billingsley about three-quarters of a mile from the scene of the shooting, officers said. He was taken to the Wetumpka jail and held on a charge of murder.

Chief Deputy Richardson said last night that the pistol used in the slaying had not been found, and that several angles of the investigation lacked clarification. He said that there were indications that the Harrell negro had been drinking prior to the shooting.

The body of Estes, who is survived by his widow and other relatives, was held by Herren & Mann, Tallassee funeral directors, pending arrangements. It was said the funeral would be held upon arrival of relatives, who live a great distance from Tallassee.

Estes was a member of an old and prominent family of this section.

## Ax-Wielding Negro Stain By Overseer

Gilbert Ledyard, negro, was shot to death yesterday afternoon on the Teague Farm, 8 1/2 miles south of here on the Mobile Road, when he allegedly attacked W. T. Kennedy, overseer of another Teague farm, with an ax.

Earlier in the afternoon, Deputies Sellers and Mosley were told several negroes under Kennedy's supervision complained to him that Ledyard and several companions refused them the right to take their groceries from a truck which served a life term on the Morgan, Ga., chain gang—for killing a negro woman

gro who a year ago shot through the window of a dwelling and killed a negro woman here, escaping after the crime, is serving a life term on the Morgan, Ga., chain gang—for killing a negro woman

As in Dothan, the negro used a shot gun on his second woman victim.

As in Dothan, the negro used a shot gun on his second woman victim.

Officers Spend Busy Weekend

In Series Of Gun Duels

Around Dothan, Ala.

Elmore Farmer

Shot To Death

Chester Estes Slain After Argument With Negro; Latter In Wetumpka Jail

TALLASSEE, Ala., Aug. 25.—(Special)

—Chester Estes, 29-year-old farmer, died Saturday night when Shate slipped a pistol from the pocket of Deputy John Hall, the latter white, and another escaping into Henry County, after a gunfight, and a plantation owner

Shate's car, and got away.

Shate was encountered in Hartford

Sheriff W. A. Austin, of Elmore County, haled and was shot by Leamons. Hall surrendered to a citizen near the scene of the shooting while a posse and bloodhounds were combing the country for him. Harrell was in jail at Wetumpka.

According to reports from officers and citizens, the Harrell negro, who worked on the Estes farm, sold a bale of cotton Saturday and failed to return that night for a settlement with Estes. Sunday morning, about 9 o'clock, Estes went over to

Kilby, was at large after a gun fight with

Killings-1935

## JURY PROBE ORDERED Colored Woman Murdered IN NEGRO'S SLAYING

Case Of Policeman Shooting Man Will Go On Docket

The Jefferson County Grand Jury will be asked to investigate after she left the Institute Road, in the fatal shooting of Isaac Mitchell, Negro dish washer in an Ensley cafe, Coroner Gip M. Evans said today. *Birmingham*

Mitchell was shot by Officer F. E. Duke last Wednesday while the policeman was "playing" with the Negro. On his deathbed the Negro asked that the officer not be blamed for the accident. The policeman is under indefinite suspension pending his trial before the Civil Service Board of the Police Department.

## Murder-A-Day

### Killings Among Negroes Have Totaled Seven Since New Year

Birmingham has average a murderer-a-day for the New Year.

The deaths of three Negroes from violence over the weekend today had brought the total of homicides for the New Year to seven. All the victims were Negroes.

Frank Green, 43, of 813 John-st, was fatally shot by his son, Fred, 20, when, according to police, he attacked his wife, the boy's mother.

John Harris Daniels was fatally stabbed in an argument over liquor at 819 21st st. n.

Cleve Witherspoon, 43, of 409 12th-av, East Thomas, died in Hillman Hospital of injuries received Wednesday when he said he was shoved off a railroad trestle by two unidentified white men and a Negro.

## Limestone County Startled By Fourth Mysterious Death Within Nine Weeks

MOORESVILLE, ALA., Jan. 9. (AP) — Uneasiness spread through this area to-night as officers concentrated their search for a clue to the solution of four mysterious deaths within a radius of two miles and all within the last nine weeks.

A coroner's jury this afternoon returned a verdict of death from "causes unknown" in the death of C. Jolly, 18, who was substituting for his father as nightwatchman on a bridge over Piney Creek that has been the cause of considerable dissension.

Officers took pains, however, to disclaim any connection between the warrants and the death of young Jolly.

Russell Balch, foreman of the coro-

youth, but did not fix an exact cause that the windows had not been tampered with, and that the doors were locked.

Sheriff A. L. Baker, conducting the investigation, said tonight he was dis- counting any theory of asphyxiation as evidence before the coroner's jury showed a charcoal stove in the shack.

"He shot me," gasped young Clark

MOBILE, ALA., Jan. 26. (AP) — Twirl-

ing his gun on his trigger finger between

which he never roused. A .22 caliber

bullet had struck him between the eyes.

The third death, near the scene of

young Clark's slaying, was that of W.

L. Stephens, of Madison, doing contract

hauling on a highway job. He, too, had

been shot in the head, and on the

running board of his truck was a .32

caliber pistol. The coroner returned a

verdict "death at the hands of parties

of a prominent planter, "but we know it

is serious and we don't know who will be

Citizens of this normally peaceful

town today considered appealing to

State authorities at Montgomery for

help in clearing up the mysteries.

A petition is being signed asking Gov.

B. M. Miller and Atty. Gen. Thomas E.

Knight, Jr., to send State investigators

to aid in the solution of the four slay-

ings.

Excitement such as usually attends the

finding of a person dead under mys-

terious circumstances was intensified

near here with a hammer or some blunt

instrument early Tuesday. Several stitch-

es were necessary to close the wound.

on as usual, despite reports that "a

negro maniac with blood lust" was at large

near the bridge where young Jolly was

in a good humor. After he had gone to

bed, he said, he heard a muffled shot in

the direction of the bridge.

"There are indications that he might

have been choked or smothered to death,"

said Sheriff Baker after an investi-

gation. "There are some peculiar

things about the case that we do not

know yet."

DECATUR, ALA., Jan. 15. (AP) — Shot

things with a pistol as he stood in

feel should be made public as yet."

the Bank Street poolroom here late to-

night bruise on the left shoulder, a small few minutes later.

John Sherrill, 42, died in a hospital

skinned place above the left eye, and Frank Callahan, 27, brother of Judge

a bump over the ear, one of which

caused death.

Callahan, the Sheriff said, remained

at the poolroom until officers arrived

and took him into custody. The prisoner

That constituted the evidence and has declined to make a statement fol-

clues on which the officers had to work following his arrest, Sheriff Sandlin said.

to unravel the latest mystery death in

the Mooresville area.

The Sheriff said witnesses to the

shooting told him they did not hear any

arguments or conversation prior to the

firing of the five shots, all of which

took effect in Sherrill's body.

The Supreme Court, however, affirmed

judgment of the Clay Circuit Court

in the case of Blake Ruff, negro who

when Eva Boyd refused to marry him

told him she was going to marry another man; first tore up in her presence a marriage license he had obtained

and then, producing a pistol, shot and

killed her, and fatally wounded her

father and brother. Convicted of first

degree murder and sentenced to death,

Ruff appealed. His execution has been

set by the high court for Friday,

March 22.

Alabama

## Mobile Grocer-Butcher Killed By Negro Bandit

MOBILE, ALA., Jan. 26. (AP) — Twirl-

ing his gun on his trigger finger between

which he never roused. A .22 caliber

bullet had struck him between the eyes.

The third death, near the scene of

young Clark's slaying, was that of W.

L. Stephens, of Madison, doing contract

work on a highway job. He, too, had

screaming from the store.

J. Moses Frank, shopkeeper across the

street, and Robert Pope, negro errand

boy, witnessed the shooting and de-

scribed how the gunman spun his pisto

on his trigger finger as he wheeled and

fired at Mrs. Sands after shooting her

husband. Four bullets were fired, all tak-

ing effect. The bandits obtained only

\$10.

## New Trial Granted Condemned Negro

## Scottsboro Judge's Kin Held In Killing

Because the judge presiding at the trial of the case was out of the court room and in an anteroom adjoining for five or ten minutes while the solicitor was making his closing address, and

argument to the jury and had to be summoned by the Sheriff to the on an

objection by defense counsel, the Alabama Supreme Court yesterday granted another trial to Percy Smith, alias "Baby Face," convicted of first degree

murder in Etowah County for shooting and killing Charlie Mabry in a quarrel over a dime.

In reversing and remanding the case

the high court in opinion by Justice W. H. Thomas said: "It is the duty of the

trial judge at all times (unless under

circumstances or at a time when his presence may be and is waived) during

the progress of a trial of which the

argument to the jury is an important

part of the process to remain on the

bench in the presence and hearing of

the trial and argument to the jury, to

see that the trial proceeds in an orderly

manner and in accordance with law."

The Supreme Court, however, affirmed

judgment of the Clay Circuit Court

in the case of Blake Ruff, negro who

when Eva Boyd refused to marry him

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Ruff appealed. His execution has been

set by the high court for Friday,

March 22.

In opinion by Justice A. B. Foster, the Court also upheld judgment of the Walker Circuit Court in the case of William Winston, negro, and set for the same date execution of the death sentence imposed on him following his conviction in Walker County, of the murder of Travis Benton, a white man.

## Negro Fugitive From Alabama Held In Virginia

BECKLEY, W. VA., Jan. 13—(P)—A negro thrice sentenced to be hanged in Alabama for murder and who finally obtained a commutation of his sentence to life imprisonment was captured here late last night by five deputies sheriff after being hanged since 1923.

Officers said he is Charles Wimberley, 34, who escaped from a prison camp at Albrich, Ala., after serving three years of his life sentence.

He was sentenced to die for the murder of another negro in 1915 at Woodward, Ala., but after receiving three reprieves finally obtained a commutation of sentence to life imprisonment.

Wimberley was arrested by Deputy Sheriff L. A. Green of Raleigh County and Deputy Sheriff Robert Godsey, of Fayette County at Minden, Fayette County where he had worked as a miner. The officers said he used the alias of William Davis.

Green communicated with Alabama officers after a several weeks investigation and Wimberley's arrest followed. He is held in jail pending arrival of Alabama officers.

## NEGRO'S FEARS OF MURDER JUSTIFIED

### Police Investigate Slaying Of Threatened Man

A week after he told police white men had threatened to kill him and that he sleep in his home, a Negro, of 309 11th-S., was fatally shot in the chest yesterday afternoon.

Detectives J. W. McFarland and W. M. Espy said the man who is suspected of threatening the Negro had accused him of stealing 10 gallons of whisky.

The Negro was shot in the chest with a shotgun in the rear of his home. He died on way to the hospital.

Police are searching for the slayer on a description furnished by witnesses.

## Negro Is Executed Jilted Negro Who Killed 4 People For Hale Murder Tells Pardon Board Why He Did It

The first man to be executed in Alabama since March 9, 1934, Eddie Thomas, Hale County negro, died in the electric chair at Kilby Prison early today for the murder of Ray Johnson, young white store clerk.

The negro was led into the death chamber a few minutes after midnight, and, after being strapped in the chair, was asked if he had a statement to make. He declined and the first shock was administered.

After examination by prison physicians, the second shock was applied, and, a few minutes later, he was pronounced dead.

The negro lost his final chance to live yesterday when Gov. Graves declined to commute his death sentence. The board of pardons previously had voted unanimously against clemency.

Thomas was convicted of shooting Johnson to death on the streets of Greensboro after the clerk had chased a "snatch thief" out of the store.

About 30 persons, including Hale County people, officers, and newspapermen, witnessed the execution, the first in the new administration with Warden Frank Boswell in charge.

### Negro Woman Slain, 2

### Hurt In Knife Affrays

One negro was slain and two others

badly wounded in stabbing affrays here yesterday.

Martha Bristol, of Winter Street, was stabbed to death yesterday afternoon during a fight at Winter Street. Police who were sent to investigate said they were seeking Pompie White, also a negro, in connection with the crime.

James L. Diggs, 434 South Bainbridge Street, was reported to have been badly wounded in an affray at 414 East Grove Street. He was taken to a hospital and Cliff Cole and Henry Phelan, both negroes, arrested on charges of assault to murder.

A woman was stabbed here yesterday with an ice-pick but her name was not learned.

Convicted in Hale County of the murder of his sweetheart, his rival, and his sweetheart's father and brother and under sentence to be executed in the electric chair at Kilby Prison next Friday.

—Blake Ruff, negro, made a fervent plea

of self-defense yesterday afternoon at a hearing at the Capitol before Gov.

Graves and members of the State Board of Pardons, in support of his petition

asking that the punishment imposed on him be commuted to life imprisonment.

The negro declared he became temporarily insane when the girl who had

promised to marry him, withdrew her

promise, telling him she intended to

marry another, and that it was while

he was in that condition that the fatal

shooting in which four persons were

killed, occurred. His main contention

was, however, that each of the four

men, who had been drinking, and

killed was slain in self defense.

His sweetheart's father, he said, was

swore he was running away from the

threatening him with a shotgun, the pair

girl herself was about to remove a

razor his arm, fired back at them, and killed

from her clothing where it was hidden, them both. He said he intended only to

knife he was seeking to bring into play,

and the rival attempted first to shoot

him with a shotgun and thereafter to

assault him with a butcher knife. In the

fusillade of shots fired by Ruff, the

sweetheart's mother who fled the scene

was unhurt, but an infant she carried

in her arms had the flesh on one side

of its face scored by a bullet.

Ruff said he bought the girl he sought

to marry, some clothes, and with a mar-

riage license he had procured, went to

her home, where he presented her with

the clothing which she accepted, but

when he broached the subject of mar-

riage, she told him she was going to

marry another man. He said he then de-

manded the return of the clothing, but

she refused, and her father with a shot-

gun trained on him would not let him

take them back. That was when he

opened fire with his pistol, Ruff stated.

The Governor and the Pardon Board

had also intended to hear the clemency

application of Will Winton, Walker Coun-

ty negro, who is also sentenced to be

electrocuted next Friday, but when hear-

ing of the Ruff case was concluded

itday, of the petition for commutation of

death sentence in Lee County in the last

was past closing time at the Capitol, so

Will Winton, negro, who was convicted

20 years. Preston was indicted by a Lee

postponed until 9 o'clock this morning.

two white men, Buck Guthrie and Travis

Winton was convicted of the murder of Benton. Winton does not deny firing the

shots that resulted in the death of Ben-

ton and Guthrie, but steadfastly main-

tains that he did so in self-defense.

Judge Charles E. McCall, State auditor,

late yesterday forwarded to Gov. Graves

a written report declining to recommend

clemency in the case. The other two

members of the Board, Atty. Gen. Albert

A. Carmichael, and Secretary of State

Howell Turner, are expected to make their

reports to the Chief Executive some time

today or tomorrow. Execution of Winton

is also set for Friday morning.

Blake Ruff, Hale County negro, was

electrocuted for the murder of his sweet-

heart, his rival, the girl's father, and

her brother, after the woman refused to

marry him. His defense was that he was

temporarily insane and that each of the

four persons he slew was armed and at-

tempting to kill him. Evidence offered by

the State, however, showed that none of

the murdered quartet was armed.

Huff entered the death chamber at

12:06 a.m. In reply to Warden Frank

Boswell, the negro said he had nothing

to say. Two shocks were administered

Graves and members of the State Board

Unlike most executions, only nine wit-

nesses, most of them newspaper report-

ers, saw the execution besides the re-

quired officials, the warden, physicians,

guards. Twenty to 25 witnesses us-

ually are present.

Will Winton, Walker County negro, for

killing his sweetheart, three members of his family

Jilted after buying a marriage license

Ruff took the four lives near

Delta several months ago. Yesterday

he tried to commit suicide in the

condemned cell by slashing himself

had an altercation with them. Winton with his dinner spoon which he had

fashioned into a crude dagger by

scrapping it on the wall.

Will Winton, Walker County Negro,

who also was to die this morning

for killing two white men, Travis Denton and Buck Guthrie, was

granted a 30-day reprieve by Governor Graves.

Winton's aged mother was once

employed as a cook at the home of

former Gov. William J. Samford,

Opelika, where Governor Graves was

a frequent guest. She had lengthy

interviews with the governor last

week in her son's behalf.

The State Board of Pardons yesterday

unanimously declined to recommend com-

mutation to life imprisonment of the

deceased negro, following his con-

viction of the murder of his sweet-

heart, his rival, the girl's father and

her brother, after the woman refused to

marry him. Having

acted on by the Pardon Board, the

case is now before Gov. Graves for his

final decision. Execution of Ruff in the

electric chair at Kilby Prison is set for

Friday morning.

The executioning jury fixed his

punishment at death in the electric

chair. Well informed court officials said

this is the first person to be given the

death sentence in Lee County in the last

was past closing time at the Capitol, so

Will Winton, negro, who was convicted

20 years. Preston was indicted by a Lee

postponed until 9 o'clock this morning.

two white men, Buck Guthrie and Travis

Winton was convicted of the murder of Benton. Winton does not deny firing the

shots that resulted in the death of Ben-

ton and Guthrie, but steadfastly main-

tains that he did so in self-defense.

Judge Charles E. McCall, State auditor,

late yesterday forwarded to Gov. Graves

a written report declining to recommend

clemency in the case. The other two

members of the Board, Atty. Gen. Albert

A. Carmichael, and Secretary of State

Howell Turner, are expected to make their

reports to the Chief Executive some time

today or tomorrow. Execution of Winton

is also set for Friday morning.

Blake Ruff, Hale County negro, was

electrocuted for the murder of his sweet-

heart, his rival, the girl's father and

her brother, after the woman refused to

Killings-1935.

Alabama

### ALABAMA SHERIFF MURDERS MILITANT SHARECROPPER

MONTGOMERY, Ala.- (CNA)- High Sheriff, R. E. Woodruff, white, carved another notch in his gun butt when he cold-bloodedly shot down Willie Witcher, militant cotton striker, on the Bell Plantation, near Haynesville.

9-7-35

Woodruff is the notorious leader of a gang of landlord and paid thugs who are trying to smash the cotton pickers' strike. The gang has already murdered a striker, Jim Press Merriweather, and beaten six others.

Riding up to cabins in the dead of the night, the gangsters dragged the striker from his bed, carried him a few miles away and beat him unconscious.

### Strikers Stand Firm

Last Monday Woodruff was called to the Bell plantation where a strike was in progress. His coaxing and honeyed words to return to work fell on deaf ears. The strikers reiterated the demand for \$1 per hundred pounds of cotton picked.

Expressing the sentiment of the strikers, Witcher walked off stating that he was going home and would not return until the strike demand was met. The sheriff ordered him to halt.

When the laborer complied with the order, Woodruff drew his pistol and shot five times, hitting him in the thigh. A deputy then fired at Witcher as he fell to the ground.

"I'll kill you, you black son-of-a-bitch", Woodruff roared, slugging Witcher over the head as the defenseless worker lay writhing on the ground.

"You may kill me, but you can't scare me", Witcher defiantly retorted.

The injured farmhand was taken to the Haynesville jail.

Willie Grove and two other laborers who were arrested for possessing membership cards of the Sharecroppers Union were released this week. Grove was re-arrested on a charge of "robbing a store".

Reports from plantations in Lowndes county indicate that the strike is still solid despite the landlord terror.

**Negro Leader** *New York* <sup>since May 1.</sup> *Ala.*  
**Of Croppers, Union Shot** *New York* <sup>since May 1.</sup> *Ala.*  
9-7-35

(Special to the Daily Worker)

BIRMINGHAM, Ala., Sept. 10.— International Labor Defense issued a statement today urging all workers and friends of civil liberties to near here, was shot yesterday by a send protests to Governor Bibb gang of landlords and policemen. Graves at Montgomery and to Sheriff Bracey is the fifth cropper shot off R. E. Woodruff, Haynesville,

Estes was shot to death on the morning of Aug. 25 following an argument with the negro over a \$2.50 debt, the evidence showed. When Estes remonstrated with the negro about failing to pay the debt, the negro pulled out a large caliber pistol, chased Estes around Estes's automobile and shot the white man three times.

Estes was carried to the Talladega hospital where he died a few hours later. The negro gave himself up to Homer Billingsley, who handed him over to Sheriff Austin, of Elmore County. Winston Huddleston, county solicitor, prosecuted the case and the negro was defended by John Harris and R. A. Horn. The jury returned a verdict at 11:15 p.m. Thursday after deliberating less than three hours.

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## MURDER, VIOLENCE ON POLICE BLOTTER

### Negro Stabs Woman To Death In Altercation Of 5 Cents Worth Of Fish

Montgomery's police blotter last night recorded, among others, the charges of murder, assault to murder, and robbery.

In addition there were reports of an automobile accident in which one person was slightly injured; the theft of an automobile, two burglaries, and numerous disorders in which five or more negroes were wounded.

James Washington, negro of 16 Hopper Street, was arrested on the charge of murder. Officers Rutherford and Miller were told that he plunged a butcher knife into the breast of Mollie Ivory negro woman of 25 Stonewall Street, after the two had argued over the purchase of a nickel's worth of fish. The woman was killed instantly.

Officers Ernest, Newton, Nettles and Ruppenthal arrested three negroes following cutting or shooting affrays. Ethel Cook was charged with cutting Ross Helms, 7 Smythe Street, with a razor.

Oscar Turner was charged with shooting Ben Henderson, negro of 511 North Union Street, and Marion Crank was alleged to have struck Josh Gray, a negro, over the head with an automobile crank.

The negro slain by Smiley was Pete Berry, stabbed to death on July 19 in Speigner prison as the convicts were marching to their cells. The jury returned the verdict after less than three hours' deliberation.

Both negroes were sentenced this morning by Judge Arthur Glover, when a number of other prisoners convicted during the week were sentenced. Included were Paul Worthman, three and a half to four years for burglary and grand larceny; Roy Powell, 20 to 30 months for burglary and grand larceny; Alton Pearson, two years for manslaughter, second degree.

It was reported here that two or three negroes had been injured in a melee at or near, White Hall, Ala., but no details were given. Montgomery officers.

James Cravey, 31-year-old negro ex-convict, was arrested on a charge of robbery by Officers Miller and Rutherford after the negro was seized and wounded by Houston Howard, negro, his intended victim. Howard was struck over the head as he walked along Madison Avenue and robbed of his pocketbook which contained \$8. Howard fell forward but regained his feet and overtook Cravey. An accomplice escaped.

In the struggle both Cravey and Howard were wounded by a pocketknife.

When searched Cravey had three pocketbooks, one of them Howard's. Cravey asserted that "somebody put 'em in my pocket," and denied any knowledge of the crime. Fingerprint records disclosed that he was an ex-convict.

In addition to the arrests, police were

### Negro Gets Chair In Elmore Slaying

WETUMPKA, ALA., Sept. 27.—(Special to the Daily Worker) An Elmore County Circuit Court jury late Thursday night convicted Torrie Harrell, 32-year-old negro tenant farmer, of the murder of his white landlord, Chester Estes, 29, and sentenced the negro to death in the electric chair. Sentence will be passed by Judge Arthur Glover Saturday. 9-28-35

### Lynch Cry Raised As Birmingham Police Seek Negro, Youth

BIRMINGHAM, Ala., Sept. 23.—Paul Pickens, 16-year-old Negro youth, as being sought by police for murder. The newspapers have taken up the cry with front page and streamer spreads and are doing their utmost to arouse a pitch of lynch frenzy against the Negro boy.

The body of Alton Cook, 25-

told that burglars had entered Marshall Green's home at 38 Capitol Parkway and an office at 214 1-2 Monroe Avenue. Mr. Green reported no loss. A typewriter was removed from the office on Monroe Avenue. The burglar made unsuccessful attempts to open several other offices in the building.

Kal Schwartz, 3 Agnew Street, reported the theft of his automobile from near the intersection of Clayton and Molton Streets.

Saturday night, police were told, D. C. Register, 119 Clayton Street, received trial and he is sentenced to 12 minor injuries when his car crashed into a truck parked on Monroe Avenue.

### NEGRO SHARECROPPER KILLED IN ALABAMA

MONTGOMERY, Ala., Oct. 12.—(UP)—Finding of the bullet-riddled body of Smith Wadkins, negro characterized as the organizer and leader of negro sharecroppers in southern Alabama, was revealed today by officers, who said they had no clues to solve his death.

No announcement had been made previously that the body had been found three weeks ago in a swamp in Butler county, near the plantation of W. C. Bates, where there had been so much trouble in the cotton sharecroppers' strike six weeks ago.

Sheriff L. N. Autrey claimed his investigation indicated Watkins was "contact man" between white communists and members of the sharecroppers' union.

### Dothan Negro's Case

#### Is Set For Wednesday

DOTHAN, ALA., Sept. 30.—(Special)—K. C. Stanford, negro, whose "Scottsboro" plea for dismissal of the first degree murder indictment against him was dismissed Saturday by Judge D. H. Halstead in Circuit Court, will be arraigned for trial Wednesday. A special venire of 20 men was called for duty.

Stanford's plea was made through N. Frank Pridgen and Lawrence Oakley, defense attorneys appointed by the court who declared that the negroes have been "systematically excluded" from juries in this county and cited the United States Supreme Court ruling in the notorious Scottsboro case.

# It Happens in the South

By A. L. MERRITT

A YOUNG Negro is taken off a trolley in Birmingham, Ala. He is rushed to jail. His request for an International Labor Defense attorney is ignored. A quick trial and he is sentenced to 12 months on the chain gang. He was guilty of having a pamphlet on the Scottsboro case in his possession.

*Daily Worker*

A WORKER, member of the Share Croppers' Union, answers a call to visit a "friend." The "friend" is a stool-pigeon. As the worker opens the gate to the house he is riddled by bullets. The murderer is tried before a jury. In ten minutes the carefully selected jury returns with a "Not Guilty—Self-defense." No weapon had been found on the dead man.

Two brief glimpses into our "fair" South. No legal or extra-legal means are being overlooked by the orders of modern industry to stop workers from organizing. New laws are formed; ancient statutes are dusted off; murderous vigilantes are given the complete cooperation of the law—anything to keep workers from gaining a barely livable wage. The South has become unsafe for any worker who believes that the Constitution guarantees freedom.

But each concentrated wave of terror is met with increased opposition. Each bloody drive to smash the unions has increased their membership. Workers who at one time broke up meetings, now attend them. In one small town when a Negro was arrested, white workers stormed the jail, not to lynch him, but to free him! What a threat to profits when white workers learn to fight with, not against Southern workers! On the other hand, opinion must be rallied to the defense of militant workers who have been thrown into jail by frame-ups, "anti-sedition" laws, vigilantes, Mass protest, organized by the blacklists, etc., it will be no time before our Northern capitalists and McMahans—a young textile worker law machines follow along the path—taken off the chain-gang and Workers' losses in the South are immediately reflected in the North.

A little over a year ago, a group of professionals and white collar workers formed the Committee to Support Southern Textile Organization to promote trade union organization in the textile centers of the South, led by Eliza South. Today's conditions combined with the steady growth of the Committee necessitate the broadening of

done. More branches and more members are needed. One can help



Family of a Carolina Sharecropper

its scope to include Southern workers in all fields of industry and agriculture. It is now called the League for Southern Labor and has undertaken two basic tasks:

1—Support of Organizers. Workers who concentrate on organizing are more than apt to adorn blacklists, and they must eat even if it is only fat-back. Leaflets must be printed. Meetings and conferences in neighboring towns must be attended. At present organizers are being supported in the textile field.

The League, with its expanded program, expects to maintain an increasing number of rank and file organizers throughout the South. This will be done through a series of mass meetings, lectures, forums, and varied social affairs.

2—Publicity and Education. The public's attention must be brought to the slave conditions under which they must fight with, not against Southern workers live; public black workers! On the other hand, opinion must be rallied to the defense of militant workers who have been thrown into jail by frame-ups, "anti-sedition" laws, vigilantes, Mass protest, organized by the blacklists, etc., it will be no time before our Northern capitalists and McMahans—a young textile worker law machines follow along the path—taken off the chain-gang and

Workers' losses in the South are immediately reflected in the North.

ENTERPRISE, ALA., Nov. 3.—(P)—A farmer was killed here last night and authorities today held three negroes and sought a fourth for questioning.

The farmer, J. H. Glover, was struck on the head with a piece of concrete at the mouth of an alley, and his companion, a man named Payne, told authorities a negro struck him.

Payne told officers they were passing a group of four negroes, and Glover accused one whom he identified as Bus-

ter Walters, and asked him why he had not gone home.

Officers said Glover was then struck with the piece of concrete, crashing his skull.

Two negro women and a negro, listed as Jim Jones, were arrested a short time later. Waters was being sought.

CARROLLTON, ALA., Nov. 3.—(P)—Sheriff Hood Ball, of Pickens County, was wounded and a negro he was seeking to arrest, was killed last night in a battle at a negro home near Reform.

The sheriff was struck in the hip by a bullet as the negro opened fire when the officer approached the house where he was hiding.

Sheriff Ball and Deputy Sheriff Cope Weary Burch, whose home is near Washington Park, was shot and killed early yesterday morning. Police shortly afterward arrested his wife, Sarah, and step-son, Joe Bibb, in connection with the crime. The officers said gro on charges of burglary filed in Tuscaloosa County.

### OFFICERS KILL NEGRO; SHERIFF IS WOUNDED

CARROLLTON, Ala., Nov. 3.—(P)—Sheriff Hood Ball, of Pickens county, was wounded and a negro he was seeking to arrest, was killed last night in a battle at a negro home near Reform.

The sheriff was struck in the hip by a bullet as the negro opened fire when the officer approached the house where he was hiding.

Sheriff Ball and Deputy Sheriff Copeland opened fire as a negro, William Randolph, fled after wounding the sheriff. He dropped with seven bullet holes in his body.

The officers sought to arrest the negro on charges of burglary filed in Tuscaloosa county.

### 2 Killed, Sheriff Shot In 2 Affrays

#### Dale County Farmer Slain; Pickens Negro Riddled In Battle With Officers

A farmer and a negro were killed, a sheriff wounded and three negroes were held for questioning as the result of shooting affrays in two widely separated sections of the State late Saturday night. The dead farmer is J. H. Glover, of Enterprise, fatally injured when he was struck on the head with a piece of concrete by a negro. Sheriff Hood Ball, of Pickens County, was shot through the hip in a battle with a negro who was slain.

ENTERPRISE, ALA., Nov. 3.—(P)—A farmer was killed here last night and authorities today held three negroes and sought a fourth for questioning.

The farmer, J. H. Glover, was struck on the head with a piece of concrete at the mouth of an alley, and his companion, a man named Payne, told authorities a negro struck him.

Payne told officers they were passing a group of four negroes, and Glover accused one whom he identified as Bus-

Killings - 1935

## HELD FOR KILLING NEGRO New York Evening Post

Farmer Accused of Shooting Brown  
After Traffic Crash

FORREST CITY, Ark., Mar. 31.—Roosevelt Barton, farmer, of Colt, is in jail here for investigation into his connection with the killing of Allen, is found murdered, in his pockets papers John Brown, Colt negro, after a coroner's jury had accused Barton indicating that he was helping to organize the of killing Brown when the negro share-croppers.

helped him extricate his car after a crash.

Evidence brought out indicated that Barton's car struck Brown's the tone of "I guess we may have rain to wagon, breaking it and sending tomorrow."

Barton's car into a ditch. The negro, offering to aid Barton, was at

tacked and shot, the jury was told. Huey Long button, "Every Man a King." What is the Kingfish going to say about this murder?

Our guess is, and we hope the guess is wrong, that the Kingfish will say nothing whatsoever about this murder, as he has said nothing whatsoever about the share-cropper.

Information of the terror raging in Arkansas was given Huey Long by Washington correspondents weeks ago, in the belief that he would use it against Senator Robinson.

Robinson of Arkansas and Long are bitter enemies. Conditions in Arkansas are no credit to Robinson. Long attacked Robinson, BUT KEPT SILENT ON THE ARKANSAS SHARE-CROPPER.

It's easy to promise the sky. It takes courage to talk turkey. Huey is going to make every man a king, but he has said nothing so far about the killing of all three had been charged with first degree murder.

The charges were filed against John Ware, 35, named by the sheriff as having made the confession, Ware's wife, Susie, 34, and Tommy Turner, 30.

The three were taken into custody when found burning brush in a woods where officers were seeking Robinson, who had been missing from his home for 24 hours. The officers subsequently discovered the farmer's body, buried in a shallow grave in the woods. He had a head injury and had been shot through the heart with a rifle.

Robinson disappeared after going toward the wood to borrow a saw from a neighbor.

Sheriff Ellis said officers had been told of ill feeling existing between Robinson and negroes living nearby.

DE QUEEN, Ark., May 21.—(AP) O. J. Cummins, Little River County negro, was sentenced to 15 years in the state penitentiary today when he pleaded guilty to an assault with intent to kill charge in connection with the wounding last February of Deputy Sheriff Willard Locke.

He entered his plea before Circuit Judge A. P. Steel.

Sheriff J. D. Sanderson said that Cummins shot Leake when the officer questioned him about the robbery of a home near Richmond. The negro fled, but was located at Fort Dodge, Iowa, last week.

ARKANSAS.

## FARMER ARRAIGNED HIGH COURT REDUCES SENTENCE OF DEATH IN NEGRO'S MURDER

70-Year-Old Sharecropper's  
Slaying Is Described  
By Witnesses

Life Terms of Two Affirmed  
by Arkansas Justices

### NEGRO GIVEN 21 YEARS

Capital Punishment Regarded as Too Severe Because of Conflicting Testimony—Convicted in Brakeman Slaying

By The Associated Press  
LITTLE ROCK, May 20.—The Arkansas Supreme Court reduced the sentence of a negro to 21 years' imprisonment today and affirmed the life sentences of two other men.

The sentence of Buford Nelson for the murder of his wife, Mary Sue Wilson, who was drowned near Newport, was affirmed as was the life sentence of Paul Nelson for the robbery slaying of B. F. Mitchell, also near Newport.

#### Investigated Fire

The court said that due to conflicting testimony surrounding the slaying of A. Pollack, a railroad brakeman, a jury in Monroe circuit son said witnesses testified William's court had meted out too severe a sentence for Green Phillips, negro son were at work on the farm Wednesday and Williams came to Marked Tree and the court reduced his death sentence to 21 years' imprisonment. where he was seen by Lancaster.

Describing Lancaster's hearing, Robert- brakeman, a jury in Monroe circuit son said witnesses testified William's court had meted out too severe a sentence for Green Phillips, negro son were at work on the farm Wednesday and Williams came to Marked Tree and the court reduced his death sentence to 21 years' imprisonment. where he was seen by Lancaster.

The following opinions were delivered and proceedings had in the supreme court today:

JOHNSON, C. J.: Clyde Law vs. E. R. Wynn, administrator, from White chancery; reversed and remanded. Butler, J., dissents.

SMITH, J.: Paul Nelson vs. State, from Jackson circuit; affirmed.

Home Life Insurance Co. vs. Ethel E. Stephens, from Howard circuit; reversed and dismissed.

HUMPHREYS, J.: Hartman-Clark Bros. Co. vs. Morris Melton, from Woodruff circuit; affirmed.

MEHAFFEY, J.: Green Phillips vs. State, from Monroe circuit; modified and affirmed.

M'NANEY, J.: Buford Nelson vs. State, from Jackson circuit; affirmed.

BAKER, J.: Trinity Farm Construction Co. vs. A. F. Brannam, from Mississippi circuit; reversed and dismissed.

ORDERS PER CURIAM

Aurelius Debin vs. The Texas Company, from Dallas circuit; rehearing denied.

Interstate Life & Accident Co. vs. George Lange, from Pulaski circuit; rehearing denied.

Fidelity & Deposit Co. of Maryland vs. George G. Frazier, from Scott circuit; rehearing denied.

Virgil M. Shepherd vs. D. Hopson, from Clay chancery; motion to dismiss appeal, denied.

Checker Cab & Baggage Co. vs. Perry Harrison, from Pulaski circuit; motion for

rule requiring clerk to approve bond, denied. W. E. Word vs. Frances M. Sparks, from White chancery; submitted on rehearing. L. W. Baldwin vs. L. E. Cobb, from White circuit; submitted on rehearing. Charlie Parker vs. Pace & Davis, from Pulaski circuit; appellant given one week for brief on rehearing.

J. D. Williams vs. J. H. Moore, from Conway chancery; submitted on motion.

Lewis W. Cherry vs. R. E. Overman, Mayor, from Pulaski chancery; advanced and set for June 10.

Little Rock North Heights Road Improvement Districts 27 and 28 vs. State ex rel. Attorney General, from Pulaski chancery; advanced and set for June 10 for oral argument.

Lawrence Morrison and Sam Neely vs. State, from Pulaski circuit; appeal dismissed for non-compliance with Rule 10.

Arkansas Quick Silver Co. vs. Dexter Bush, Judge, prohibition to Clark circuit; settled and appeal dismissed.

#### SUBMISSIONS

Mary J. Campbell vs. Clem Carlisle, from Washington chancery.

Metropolitan Life Insurance Co. vs. Don L. Weatherby, from Pulaski circuit.

Robert P. Woods vs. C. E. Spann, Trustee, from Jefferson chancery.

Reserve Loan Life Insurance Co. vs. Desiree Miller Compton, from Pulaski circuit.

George W. Donaghey vs. Marion Wasson, from Pulaski chancery.

State ex rel. J. W. Trimble vs. T. H. Kants, from Washington chancery.

Harrow Smith vs. Refunding Board of Arkansas, from Pulaski chancery.

Board of Improvement, Street Improvement District No. 315 vs. Arkansas Highway Commission, from Pulaski chancery.

W. A. Rutherford vs. St. Paul's Episcopal Church of Batesville, from Independence circuit.

## SHARECROPPER SLAIN, EMPLOYER ARRESTED

Had Accused Negro of "Loafing" on Job

PARKIN, Ark., May 24.—(AP)—The slaying of a 70-year-old negro sharecropper was described by witnesses in a magistrate's court today as the negro's employer was arraigned on a charge of first degree murder.

The farmer listed as Andrew Lancaster, about 40, himself a renter, was accused of killing the negro, Tom Williams, Wednesday when he found him "loafing." Lancaster offered no evidence at the preliminary hearing. He entered a formal plea denying the charges. Refused bond, he was taken to jail to await action by the Cross County Grand Jury in September.

James Robertson, deputy prosecuting attorney, said Lancaster rented some land about four miles south of Parkin. The negro, Robertson said, farmed part of this land for Lancaster on a "share" basis.

Another negro sharecropper, Andrew Simmons, was killed here yesterday. Officers quoted Walter Kennedy, a plantation manager, as saying he shot Simmons in self-defense when the negro attacked him with an iron bar.

Describing Lancaster's hearing, Robertson said witnesses testified Williams' sons were at work on the

farm Wednesday and Williams came to Marked Tree, where he was seen by Lancaster.

"Witnesses testified Lancaster approached the old negro and demanded to know why he wasn't at work on the farm," Robertson said. "They said Lancaster kicked the negro, and then shot him three times." The shooting occurred in front of a store.

## Plantation Manager Is Freed In Slaying

*5-28-38*  
PARKIN, ARK., July 11.—(P)—Justice of the Peace W. W. Hazen acquitted Mal-  
ter Kennedy, plantation manager, to-  
night of a charge of murder in connec-  
tion with the fatal shooting last Tuesday  
of Andrew Simmons, a negro sharecrop-  
per.

Kennedy's plea of self-defense brought from the magistrate at the preliminary hearing a ruling of "justifiable homicide."

The defendant, a plantation manager for Dave Block, chairman of the Arkansas Highway Commission, testified that he shot Simmons as the negro was advancing on him with an iron bar.

He said the shooting occurred in the plantation office, a mile west of Parkin, following an argument over a farm culti-  
vator.

"Andrew came to me complaining about the condition of his cultivator," Kennedy said. "I told him he could have his choice of two others. He wouldn't even look at those.

"I went on to dinner and then when I returned to my office he followed me. He reached for an iron bar from a farm implement and started for me. I shot him just as he advanced."

Dr. J. S. Miller, a Parkin physician, and four other witnesses upheld Kennedy's testimonv.

## Arkansas Child Attacked, Slain

*7-8-38*  
Autopsy Shows Girl Was

Assaulted, Neck Broken  
And Body Put In Creek

FORT SMITH, ARK., July 7.—(P)—Officers theorized the girl had been slain and thrown into the creek. Prosecuting Atty. Finis F. Batchelor said today an autopsy had disclosed that 14-year-old Mary Isabel Mahar, whose scantily clad body was found in a creek yesterday, had been attacked and her neck broken before she was thrown or fell into the stream.

Sheriff Fred Long said he was holding a Fort Smith youth booked as Clyde Trammell, 28, for investigation in connection with the girl's death and that he "probably would file charges tomorrow when a coroner's jury makes a report on its findings."

"Her neck was broken at the third

joint and there was no water in her lungs," Batchelor declared. "The girl was

attacked, and it was the opinion of the doctors who performed the examination that Miss Mahar was dead before she hit the water."

"Trammell has told officers a dozen conflicting stories and none of them jibe," Batchelor said. Long continued questioning the youth this afternoon while funeral was being held for the girl.

Trammell was taken into custody late yesterday shortly after the body of Miss Mahar was found in Clear Creek 20 miles north of here by Mrs. Agnes Minella, New York resident visiting in this vicinity. Mrs. Minella and her two children had gone to the creek on a sight-seeing trip.

Searching parties had sought Miss Mahar since July 4 when she disappeared while on a holiday outing with 16 others. Her outer clothing was found on the bank of the creek.

Sheriff Long said after finding of the body his investigation caused him to believe "some violence" was connected with the girl's disappearance. Dr. B. B. Bruce, of Alma, called a coroner's

jury for an inquest at 2 p.m. tomorrow.

He said the shooting occurred in the plantation office, a mile west of Parkin, following an argument over a farm culti-  
vator.

"Andrew came to me complaining about the condition of his cultivator," Kennedy said. "I told him he could have his choice of two others. He wouldn't even look at those.

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Dr. J. S. Miller, a Parkin physician, and four other witnesses upheld Kennedy's testimonv.

First degree murder charges were lodged against Clyde Trammell, 28, and first degree murder charges against

Miss Dorothy Karps, 16, in connection with the death of the girl whose partly

clad body was found in a creek several days after she disappeared.

Miss Karps, who had been under \$500 bond as a material witness in the case, was taken into custody this afternoon while Trammell was removed to a Little Rock jail for safekeeping.

"Death at the hands of a person or persons unknown" was the coroner's verdict in the death of Mary Isabel

Physicians said death was caused by a broken neck and that she was not

missed. Trammell was removed to a Little Rock jail for safekeeping.

Hoyle Benford and Buster West

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Killings-1935

D.C.

# Mrs. F. Dancy Is Found Slain in D. C. Home

*African American  
Former Recorder*

Widow Also Crim-  
inally Assaulted.

NEIGHBOR GIVES

**POLICE A CLUE**

*By M. L. Thompson*  
Quizzer about Room  
Being Sought.

## (AFRO BUREAU)

WASHINGTON. — Police are seeking clues which will lead to the arrest of the fiend, who criminally attacked and murdered Mrs. Florence V. Dancy, of 2139 L Street, Northwest, 65-year-old widow of the late John C. Dancy, one-time District recorder of deeds, Friday night.

The body was found lying across the bed in a locked room of her house, by Detectives W. V. Christian and R. E. Talbot, both white.

They had been called to force the door of her room open when roomers of Mrs. Dancy complained that they had not seen her since Wednesday night.

## Fought Assailant

Evidence that the aged widow had put up a fight with her assailant was borne out by marks of violence on her body. Scratches were on her face and her mouth was bloody. The clothes were partly torn from the body.

An examination by the coroner, Dr. A. McGruder MacDonald, white, revealed that she had been criminally attacked.

## Neighbor Gives Clue

The only clue that the police

have was furnished by a neighbor. She said that a young man had called on her neighbor seeking a room, and was referred to

Mrs. Dancy, Wednesday morning. He is said to have been turned down, and was seen to leave the house.

Later that day, the man was seen to

return to Mrs. Dancy's, and according to information given the police by a roomer in the house

Mrs. Dancy commented to her when the man returned:

"That man is back here again with him."

According to the roomer, Mrs.

Dancy left the room and was not

seen alive again.

## Description Given

The man was described to police as being about thirty-five years of age, tall, of light complexion, well groomed, and polite. The description, police said, tallies with that furnished of the man suspected of murdering a Mrs. Shaed, a white school teacher, several months ago, in a manner similar to that in which Mrs. Dancy met her death.

The widow's husband died fourteen years ago. He was recorder of deeds from 1900 to 1910. During the administrations of Presidents Harrison and McKinley, he was collector of customs in Wilmington, N.C.

## Reputed to Be Wealthy

When he died, he is said to have left his wife considerable property and money. However, she insisted on running a rooming house at the place where she was found murdered.

John C. Dancy, Jr., son of Mrs. Dancy, who is president of the board of commissioners of the Detroit House of Correction and executive secretary of the Detroit Urban League, arrived here on Sunday and will remain until Saturday.

Another son, Dr. Joseph P. Dancy, is a Detroit physician.

Others surviving are: daughter, Mrs. Lillian Reed, of Salisbury.

N.C.; three brothers, Jesse Stevenson and George Stevenson, of Pittsburgh; and Eddie Stevenson, of Philadelphia.

Funeral services were conducted on Tuesday at Boyd's Funeral Home, Nineteenth and L Streets, Northwest, by the Rev. F. W. Alstork, of the Union Wesley A.M.E. Zion Church, of which she was a member.

Only relatives and close friends were admitted to the funeral. Burial was in Harmony Cemetery.

Killings - 10/35

Florida

## ~~TWO NEGROES HELD IN CAMILLA SLAYING~~

**CLEARWATER, FLA.**  
SUN

JAN 24 1935

### **Swift Justice**

**Arrests at Jacksonville and  
Thomasville Follow Kill-  
ing of Garageman.**

**JACKSONVILLE, Fla., Jan. 15.—**  
(AP)—Charged with killing Bert Norris, a garage proprietor at Camilla, Ga., Saturday night, a negro listed as Bert Jones has been turned over by local police to Sheriff Baggs, of Mitchell county, Georgia.

The negro was arrested here for driving an automobile without a license tag. On checking the ownership of the car, officers said they found it belonged to Norris and that it was stolen by a negro who killed Norris.

**TWO NEGROES DIE  
FOR KILLING ATHLETE**

**RAIFORD, Fla., Jan. 20.—**(AP)—Two negro youths paid with their lives today for the holdup murder of Carl Schuman, 25-year-old former University of Florida star football player. Thomas Jefferson, 22, and Fred Anderson, 24, were executed in the electric chair here a little more than two

**FLORIDA TO EXECUTE  
TWO NEGROES TODAY**

**RAIFORD, Fla., Jan. 21.—**(AP)—Two negroes, Fred Anderson, 24, and Thomas Jefferson, 22, are listed for execution in Raiford's electric chair tomorrow morning at 10 o'clock.

They were convicted of first-degree murder without a recommendation for mercy following their arrest as the slayers of Carl Schuman, 25-year-old former University of Florida football star, in a drugstore holdup at Jacksonville on the night of November 11.

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**CLEARWATER, FLA.**  
SUN

JAN 24 1935

**TWO negroes two months ago murdered a man in Jacksonville. They were arrested, tried, convicted and last**

**they have been sentenced to die, the charge of frame-up against the officials of Broward county should be substantiated in the courts by the International Labor Defense before it demands that the chief executive of the state turn loose prisoners convicted of murder in due process of law.**

**Tuesday they were executed in the electric chair at Raiford**

**Swift justice that, so swift as to be exceptional, attracting state-wide attention. And little wonder. Contrast this case with the Jeffcoat case. Jeffcoat killed his wife. The Clearwater police arrested him, he confessed and was sen-**

**tenced to death, all in a few weeks' time. Then the legal horseplay began and for two and a half years the case dragged from court to court. In the end justice triumphed, but it was a justice so long delayed that its restraining influence upon the murder-minded probably was not great.**

**When the kind of justice seen in the Jacksonville case becomes the rule and not the exception—then will come a drop in the murder rate and thoughts of lynchings will**

**pass from the minds of men**

**MIAMI, FLA.**  
HERALD

**the court proceedings during and after their conviction.**

**It is more than two years since the negroes were convicted in the Circuit court of the neighboring county of the murder of Robert M. Darsey, Pompano merchant. Every legal step has been**

**taken to prevent the men from going to the electric chair. Twice Governor Sholtz is importuned the Broward court, once before to release four negroes, convicted the presiding judge and again of murder in Broward county before a jury, has held confes-**

**sions used against them were immediately, on the ground they are victims of a "frame-up."**

**In the first place, the office writing the letter for the or-**

**ganization shows an abysmal ig-**

**norance of the processes of**

**American courts when she de-**

**mands of the governor, without**

**further ado, to turn the con-**

**victed negroes free on the mer-**

**say-so of a group a thousand**

**miles away from the scene of**

**the killing and unfamiliar with**

**the highest traditions of Amer-**

**ican court procedure. Whether**

**the negroes are guilty or not of**

**the crime of which they have**

**been convicted and for which**

# Residents Intrusion Of I.L.D. Into Florida Murder 'Frameup' Case

**Attorney McGill Plans to Prove Confessions Were "Forced," But Says Outside Interference May Mitigate Against the Saving of 4 Innocent Men.**

JACKSONVILLE, Fla., Mar. 14—Attorney S. D. McGill, chief counsel for the four Negro defendants accused of having killed a white fish dealer in Pompano, Fla., and who were forced to sign "confessions" of guilt after having been brutally beaten by officers of the law and those not officers.

has protested against the intrusion of the International Labor Defense League into the case, claiming that influence of this kind will handicap him in his efforts to ultimately free the defendants whom many believe to be innocent.

A letter addressed to Governor Sholtz of this state last week from the International Defense League's New York Headquarters, demanded the immediate release of the boys. Referring to this act on the part of the New York organization, Attorney McGill stated:

"They can only do harm to our efforts. Seemingly that organization is seeking publicity with utter disregard to the serious consequences that may be resultant in so far as the welfare of my clients is concerned. Too, their outburst is ridiculous. How can the governor respect any such request as they have made? True we have been given a raw deal down in Broward County, but we propose to take this case back to the Supreme court. Hasn't the Supreme court of this State already found that those alleged confessions were obtained illegally? It is a travesty on justice that a local jury in Broward county should come back in the light of the Supreme court's findings and again declare those boys guilty. We are only now beginning this fight. Watch us from now on."

Killings-1935

General.

## NEW YORK TIMES

MAR 5 1935

### OUR MURDER RECORD.

LOUIS I. DUBLIN and BESSIE BUNZEL, in the March Survey Graphic, have performed a useful service in bringing together in comprehensive form the major facts that are statistically known or ascertainable about the American homicide record. As even the casually informed know, that record is a shameful one. The victims of homicide in the United States number annually over 11,000 persons, or 9.2 out of every 100,000 of population. This rate in recent years has been more than three times that in Italy, which has the highest rate in Europe, eighteen times that of England, and twenty-nine times that of The Netherlands. The United States, moreover, is the only important country which shows more homicides in recent years than prior to the World War.

The exact causes of our shocking record are not easy to determine. The authors dispose of a few facile popular explanations. There is a connection between crime and poverty; but why should this particular crime be so much greater here than in other countries which enjoy fewer material advantages than we do? When our bad record is ascribed to the lawlessness characteristic of a pioneer country, again the explanation does not tell us why recently settled countries, such as Australia and New Zealand, have rates respectively one-fifth and one-tenth of ours.

It has long been known that in spite of the undeserved fame of Chicago our highest murder rate has been in the South. The New England States have the best record, with a rate of 2.0. In Florida the rate reaches 26.4. In 1933 the dishonor of the highest rate for any city—59.5—fell to Lexington, Ky. These geographical discrepancies are in large part explained by the high homicide rate among Negroes. In the United States as a whole, during the five-year period 1928-30, the authors point out, more than eight times as many Negro as white males were slain per unit of population and almost seven times as many Negro as white women. To what extent was this due to the killing of Negroes by other Negroes and to what

extent by the killing of white men? highest Negro homicide rates are found, not in the South, but in the Middle West, with perhaps because they have no information on it. But they do point out that the highest Negro homicide rates are

found, not in the South, but in the Middle West, with Missouri, Illinois, Ohio and Michigan the record, and doubtless they are many, it is and Michigan the chief offenders."

What may be the true inferences from this record, and doubtless they are many, it is certain that the nation-wide campaign for

crime prevention is a grim necessity.

One conclusion on which the authors are emphatic is that the sale of firearms must be restricted. About two-thirds of American deaths from homicide are due to the use of firearms. In England and Wales in 1932 only 13 per cent were caused by firearms, and in Germany, prior to the present régime, about 27 per cent.

## ATLANTA, GA.

JOURNAL

MAR 7 1935

### America's Homicide Rate

AMERICA'S excessive homicide rate is sometimes charged to the fact that ours was but recently a frontier land where unsettled conditions and a spirit of adventure made for lawlessness. Yet, the rate in New Zealand is now only one-tenth of ours, and in Australia only one-fifth, both of which countries are still in the pioneering stage. Again, it is said that poverty induces crime. But why is it that there are proportionately more murders in the United States, where the level of living conditions is unusually high, than in some of the poor countries of Europe?

In the March number of *Survey Graphic* there is an extensive study of the statistics on this problem. Nine and two-tenths out of every one hundred thousand of our population, or more than eleven thousand persons a year, are "victims of homicide." Three times the rate of Italy, eighteen times that of the Netherlands! Moreover, "The United States is the only important country which shows more homicides in recent years than prior to the World War,"—that colossal scapegoat on which we have been wont to cast the transgressions of our era. It appears further that while the American homicide rate is most marked among Negroes, "The

Killings - 1935

General.

VENTURA, CAL.  
COUNTY STAR

SEP 20 1935

## LIFE IS TOO CHEAP

ONE of the disheartening trends of modern times is a growing callousness to murder. We kill 30,000 innocent people every year on highways, and thousands of these are victims of murder—none the less murder because it was involuntary. Very seldom is any punishment meted out to highway killers, and when it is, it is usually the same penalty as that for being drunk and disorderly.

Hardly a week passes that an official—sheriff, constable or policeman—is not shot down in cold blood. In these cases, too, the assailant is seldom caught. When he is, public rage vents its feelings in lynching. Why? Mainly because the public doesn't trust the law to mete out justice.

Europe seems to be preparing again for mass murder—not for any logical reason, but simply to bolster up national pride and advance the fantastic ambitions of a handful of men—who will, however, not endanger themselves in the fighting. In America, we are dead set against a new war—but history does not offer much hope that we could not be excited into one in a very short time.

The world depends too much on the rule of violence instead of the rule of reason. Our highway toll is violence in its worst form; the assassinations of peace officers and subsequent lynchings, are violence; war is the supreme triumph of violence over reason.

We say that human life is the most precious thing on earth. Our actions belie our words. We need a new evaluation of life—a realization that it IS important; that taking it unnecessarily is a crime against society that merits drastic punishment.

Killings- 1935.

Georgia.

## ~~NEGRO SUSPECT FREED IN SLAYING OF ROBERTS~~

~~Coroner Lays Killing of Atlanta Salesman to 'Persons Unknown'~~

~~1 KILLED, 2 WOUNDED~~

~~IN GWINNETT AFFRAY~~

~~A negro suspect, arrested yesterday in connection with the investigation of the murder of James Richard Roberts, 50-year-old Atlanta coffee and tea salesman, was released by detectives at 11 o'clock last night.~~

~~Police revealed they had nothing on which to hold the negro, who was arrested at noon yesterday, two hours before an inquest into the murder was held.~~

~~Following the inquest, held at the mortuary of Awtry & Lowndes, Coro-morning in a shooting affray on a farm three miles north of Duluth, on Roberts met death at "the hands of a the old Duluth highway person or persons unknown."~~

~~The dead man was Charles Helton, 318 Fourth street, N. E. Roberts was killed at about 9:15 38. He and his father, John H. Helton, were shot and killed and his father and another~~

~~Tenant Farmer Arrested by Officers Probing Death of Charles Helton.~~

~~A Gwinnett county farmer was shot and killed and his father and another farmer were wounded yesterday morning in a shooting affray on a farm three miles north of Duluth, on Roberts met death at "the hands of a the old Duluth highway person or persons unknown."~~

~~The dead man was Charles Helton, 318 Fourth street, N. E. The younger Helton, who was shot in the head, died in the hospital at 3 o'clock yesterday afternoon. His father is in serious condition.~~

~~At the inquest, Dr. J. C. Blalock, county physician, who performed an autopsy Wednesday night, submitted his report that the shotgun charge entered Roberts' left chest, striking the heart, and then passed into the right chest, causing collapse of the lung.~~

~~Detectives E. I. Hilderbrand and W. M. Holland, assigned to the investigation, did not reveal where the negro suspect, who gave his name as~~

~~Will Thomas, of a Mitchell place ad-dressed, was arrested.~~

~~According to the detectives, the slain man last week visited a brother, C. F. Greswell and Deputy Sheriff C. F. Greswell and Deputy Sheriff~~

~~Henry Hutchins, who is employed at the Bellwood pris-on camp, from which Thomas was re-leased last Monday.~~

~~The detectives learned that Roberts displayed a large sum of money in front of the negro, and thus he was suspected of perhaps having some knowledge of the crime. He was re-leased for want of prosecution.~~

~~Roberts' Watch Found.~~

~~Seriously handicapped by lack of clues, investigators yesterday lost the faint clue when members of the slain man's family revealed that Roberts' watch, at first believed stolen by the slayer, was found in possession of a friend.~~

~~The slain man's wallet, containing little or no cash, was missing, how-ever, lending credence to robbery as the motive for the killing.~~

~~Funeral services for Roberts will be held at 2:30 o'clock this afternoon at the chapel of Awtry & Lowndes.~~

## ~~2 HALL OFFICERS FACE MANSLAUGHTER COUNT~~

~~Deputies Are Bound Over in  
Killing of Farmer  
at Lula.~~

~~GAINESVILLE, Ga., Dec. 22.—(P) Peace Justice Dan Mooney said sheriffs' deputies Lee Land and J. C. Smith were bound over to superior court today on charges of involuntary manslaughter following a committal in connection with the death of Jerry Hawkins, a farmer.~~

~~Bonds were set at \$1,000 each. The next term of Hall superior court con-venes January 20.~~

~~The deputies were charged with murder in a warrant sworn out by Charley Hawkins, son of Jerry Haw-kins, who died November 25, Mooney said, of pistol wounds received No-ember 17.~~

~~Mooney said the prosecution charged Hawkins and his son were shot by the officers when the latter at-tempted to search the farmer's auto-nobile at his home at Lula.~~

~~The officers testified they were searching for liquor and that the elder Hawkins drew a gun and attempted fire upon them. They also testified that Charley Hawkins approached the car from the house and leveled a rifle at them.~~

~~Charley Hawkins is recovering from a pistol wound in the leg, a physician testified.~~

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Killings. 1935.

Georgia

## NEGRO SHOT BY POLICE Georgia Officer

### IS STILL UNIDENTIFIED

*Conservative*

Alleged Taxicab Theft Led  
to Killing; Another Dies  
of Wounds.

### Slain By Negro *Advertiser*

Marietta, Ga., Cobb County Times  
November 14, 1935

### Intelligent Justice Ruled This Trial

SPARTA, GA., Nov. 17.—(AP)—Motorcycle Policeman M. L. Stafford, 25, was shot to death in the street here today by one of four negroes he halted in an automobile and tonight Mayor Harry Vinion said feeling was "running very high" as the slayer was hunted.

Two of the negroes were captured after the slaying but neither of them was the slayer. Mayor Vinion said the Mayor said the streets of the downtown section were crowded with an angry residents and that a posse of several hundred had joined with police and sheriff's officers of three counties in the hunt for the negroes.

The death of the negro marked the third this month in Atlanta and whereabouts of the two negroes taken in the same calm and dispassionate manner with which it ordinarily handles even killing at 11 o'clock Monday night of precaution, he said. Mayor Vinion said Stafford had halted the most trivial of cases. Attorneys for his intended victim and another negro dying early yesterday morning the negroes' car on suspicion that the negro was drinking in Grady hospital from wounds suffered November 2 in a gun battle. The four got out and were lined up with police.

According to police, the unidentified talked to the others, one of the negro was shot through the heart by shot in the head. Radio Patrolman E. T. Payne where One negro fled in the automobile and the negro ignored his command to the three others struck out across the field. He was pronounced dead on arrival at Grady hospital, and was still unidentified at a late hour last night.

Radio Patrolman Payne, with Radio Patrolman C. W. Cartwright, began the chase for the negroes when they were called to McDaniel and Rockwell streets, N. W., where Plez Harris, 24, negro, cab driver, told them two armed negroes stole his cab.

The officers "spotted" the cab at Chestnut and Beckwith streets, S. W., and followed it to West Mitchell street, where the negroes leaped from the vehicle and ran. The cab struck a parked truck, inflicting slight damage.

The chase then began on foot, Radio Patrolman Payne pursuing one of the negroes across Hunter street at Raymond. The negro ran into an alley near-by, and when the officer commanded him to halt, he failed to do so and was shot.

The cab driver identified the negro at the hospital as one of the two negroes who had taken the cab from him.

The other negro's death occurred about 7 o'clock Monday night when he attempted to hold up M. F. Rogers, attendant at a filling station on Memorial drive, two miles beyond Avondale. He was identified as Hubert Durden, of 1550 Foote street, northeast.

Oscar McGee, who was wounded in a gun battle with Patrolmen R. E. Carroll and J. S. Tugge, died early yesterday morning in Grady hospital. The negro was shot when he opened fire upon the officers, who sought to arrest him, according to police.

THE County of Cobb has a right to be proud of its judicial authorities for the intelligent fashion in which the trial of one John Willie White, negro, was conducted Tuesday in superior court.

The charge against the negro was murder—in fact, the brutal murder of two white men—but the court viewed the case in the most trivial of cases. Attorneys for the defense and for the state were more than ordinarily careful in making out their cases. The prosecution indulged in very little appeal to emotion or prejudice, but built their evidence on facts from the mouths of many witnesses. The defense, by cross-examination of witnesses and by the defendant's own unsworn statement, fulfilled their duties as counsel in a worthy and creditable manner.

In a South which has become infamous in the eyes of other sections for its racial prejudice—unjustly so, we admit—the trial stands out as a shining example of intelligently administered justice. The crowd at no time showed any disposition to upset the dignity of the courtroom by unseemly demonstration. Quietness and respect dominated the atmosphere. When the verdict was brought in, there was no show of emotion from anyone. Scarcely an expression changed, for everyone who had been in the courtroom was impressed with the seriousness of the task which the machinery of law was doing.

The judge pronounced the sentence—death—after allowing the defendant his usual opportunity for a statement. The doomed negro was led out between two officers and it was all over. The audience remained still and subdued until the judge calmly excused them.

The Times commends Judge J. H. Hawkins and all the officers of the court for the able and dignified manner in which they handled the trial and wrote into the history of justice in this county a glowing page. Would that such steady hands always hold the scales of justice!

It had been suggested that national guard protection might be needed at the trial, because of feeling against the defendant.

To an inquiring newsman in Atlanta, the judge said over the telephone:

"Tell the governor for me that no national guardsmen will be needed here."

Hancock County Citizens Praised by Judge Park for 'Law Abiding Spirit'

SPARTA, GA., Nov. 26.—(AP)—Citizens of Hancock county were praised for their "law-abiding spirit," and Judge James B. Park as a Negro, lynch law was condemned today by charged with slaying a policeman, was convicted and sentenced to die Dec. 20.

The comments of the 83-year-old jurist, who has presided over the Ocmulgee superior court circuit for nearly 24 years, were made after the jury had brought in its verdict, and the Negro was taken from the courtroom by Sheriff R. C. Wiley.

The defendant, Winton Boyer, was charged with shooting Policeman M. L. Stafford, 25, after the officer had stopped a motor car carrying a group of Negroes, to determine if they were

Sheriff R. C. Wiley led the party of officers which brought Boyer here for safe-keeping. Included in the party were County Police Officer R. D. Smith, County Warden C. T. Wright and A. Baker, a bailiff.

Boyer was killed when he allegedly attempted to search a group of Negroes whom he had stopped on suspicion that they were drunk. Boyer's companions at the time of the shooting were held in jail in Hancock county following their indictment on misdemeanor charges, according to the officers who came here.

"Lynch law never has accomplished what it was intended to accomplish," the judge told the orderly crowd in the court room.

"Lynch law breeds disrespect for law. It has a demoralizing effect on any community in which it occurs."

"This case has been tried according to the laws of the state of Georgia.

"Throughout the trial there has been perfect order.

"This is the only way to preserve the laws of the land—to let the courts handle the work for which they were established.

"Orderly procedure makes for better law enforcement. It has a salutary effect on the nation as a whole."

Boyer was taken to the Bibb county jail at Macon for incarceration pending his transfer to the state prison at Milledgeville.

One of the occupants of the motor car from which the policeman was shot testified that Boyer was the slayer. Officers said others in the car also named him as the man who fired on the policeman here Nov. 17.

Killings - 1935

Georgia

## NEGRO IS HUNTED IN AXE SLAYING

One Woman Dead, Another  
Clings to Life; Deputies Seek  
Earnest Moore, 28

Bibb and Monroe county officers last night continued their hunt for A. M. Moon, of Atlanta, with an ax on August 18 at the negro's home off Cascade road. Assistant Solicitor Quincy Arnold will prosecute Osborne in Judge Virgil B. Moore's court.

Moon and the negro got into an argument at Osborne's house after the white man's car had broken down organized to search for a negro who, the road nearby, it was said. The deputies said, did the shooting. negro was arrested a few days after the slaying when he returned to the sheriff was shot as he attempted to arrest a negro named by Branch as Ernest Clarke at a negro residence.

**KILLER ABSOLVED**  
~~attacked~~, Negro Who Attacked in Self-

~~Defense Freed.~~  
~~Constitution~~

John Henry Osborne, negro, was found not guilty of the murder of A. M. Moon yesterday by a jury in Fulton's superior court.

H. A. Allen, defense attorney, produced witnesses who testified that Moon attacked Osborne in the yard of the negro's home off Cascade road and spoke, Branch said, the negro August 16, and that the defendant killed the white man with an ax in self-defense.

Assistant Solicitor Quincy Arnold told the jury if it believed Osborne was acting in self-defense and was justified in killing Moon to save himself, then he should be freed.

Osborne said he had been to a funeral on the day of the killing and returned home to find Moon at his house. The two quarreled, he said, and the white man struck the negro with a stick of wood. Whereupon Osborne said he hit Moon over the head with an ax.

The jury was out less than half an hour.

Sheriff Bittick said there were no witnesses to the attack on Rosa Moore, but that, from appearances, she was struck with the axe while in bed, possibly asleep. He said several witnesses to the slaying of the other woman reported to him that Moore went to her house, about 100 yards from his own, and after firing a charge of shot through the door, shot and killed his fleeing sister-in-law instantly.

Ill Feeling Existed  
Bibb officers, cooperating with Sheriff Bittick in trying to locate the suspected slayer, recalled yesterday that Moore was jailed here July 17 and that efforts to have a lunacy hearing before the ordinary of Monroe county failed because of the intervention of white friends, who characterized him "as the best Negro in the county," and who denied that he was insane. Moore

was released from jail here July 22, the records show.

Ill feeling over his being placed in jail led to threats being made, Sheriff Bittick said he was told.

**TRIAL FOR MURDER**  
~~at least 100~~

~~Negro Charged With Slaying~~

~~White Man~~

Charged with the ax slaying of a white man, John Henry Osborne, negro, will go on trial for his life today in Fulton superior court.

Assistant Solicitor Quincy Arnold will prosecute Osborne in Judge Virgil B. Moore's court.

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## SHERIFF OF LAURENS SPARTA OFFICER SERIOUSLY WOUNDED

~~Coroner~~  
10-29-35  
W. H. Adams Is Shot by  
Negro He Was Attempt-  
ing To Arrest.

DUBLIN, Ga., Oct. 28. (AP)

Sheriff W. H. Adams, of Laurens

county, was shot and seriously wound-

ed as he was attempting to make an

arrest at Moore's Station near here

in a local Negro funeral home.

Rosa Moore, wife of the suspected

slayer and attacker, was reported in

"very serious" condition at the Ma-

con hospital last night from an axe

wound in the head allegedly inflict-

ed by her husband at their home

Wednesday night about six miles

from Lorane, in Monroe county.

Roberta Moore, wife of the sus-

pected man's brother, was killed in-

stantly by a shotgun charge Wednes-

day night.

Officers feared last night that

Moore might try to carry out an al-

leged threat to kill his father-in-

law, a Negro named Jackson, who

lives a short distance from Rock

Mill, and several trips were made

there in an effort to locate the sus-

pect.

**Woman Left for Dead**

Sheriff Carey Bittick of Monroe

county, who was called to the scene

of the killing Wednesday night, said

yesterday he thought Rosa Moore

was dead, since a part of her brain

was lying on the floor of her home,

and left her there during Wednesday

night. When investigators returned

yesterday morning they discovered

that a spark of life still lingered in

her body, and she was rushed to the

hospital.

Sheriff Bittick said there were no

witnesses to the attack on Rosa

Moore, but that, from appearances,

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## SHERIFF OF LAURENS SPARTA OFFICER

## SLAIN BY NEGRO

*Telegraph*

Accused and Five Associates

Are Arrested After Sunday

Night Man Hunt

11-19-35

tri chair December 20. The trial last-  
ed only a few hours and was pre-

sided over by Judge J. H. Hawkins.

Swanson, a filling station proprie-

tor, was killed October 5 when two

negroes held up his station. Another

negro listed as Horace Parker is being

held as White's accomplice and will

be tried tomorrow.

White also is charged with the mur-

der of W. P. Smith, a chair factory

watchman, in another robbery.

SPARTA, Ga., Nov. 17 (AP)—A

posse led by officers late tonight

captured a Negro accused of killing

a motorcycle policeman here and

carried him away to an undisclosed

jail for safekeeping.

City Clerk A. J. Berry said the

accused Negro was listed as Win-

ton Boyer.

Five other Negroes are being held

in jail here as witnesses.

The motorcycle policeman, M. L.

Stafford, 25, was shot down as he

halted a party of Negro motorists.

The city clerk said that the ac-

cused Negro was found hiding in the

chimney of a Negro house about

twelve miles from town. A pistol,

en, 12, played his last game of

hide-and-seek Sunday, for a bullet

from a white watchman's gun

from a white watchman's gun

had been placed in the Sparta jail

Clyde, who lived at 560 Old

before midnight.

The Negroes captured were ques-

Wheat St., thought he knew a swell

tioned separately by officers and

hiding place. He would climb the

each, the police said, blamed the

slaying on the same man. The of-

ficers said they did not believe the

Negroes in jail here were in danger

since they had co-operated willingly

playmates would peer in every al-

since they had co-operated willingly

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# TRIAL OF NEGRO BEGINS AT SPARTA

*macon negrograph*  
*macon negrograph*

Evidence Completed in Slaying

of Policeman; Everything 'Quiet and Peaceful'

*11-26-35*

SPARTA, Ga., Nov. 25 (P)—Evidence was completed late today in the trial of Winton Boyer, Negro accused of killing a motorcycle policeman. The case was expected to reach the jury tomorrow morning after the charge by Judge James B. Park.

In spite of early feeling caused by the slaying of the officer, H. L. Stafford, the trial was held under quiet and orderly circumstances after a brief speech by the judge.

In his talk, he pointed out the constitutional assurances of impartiality toward all persons and their rights to fair trial. At its close he asked all those "willing to see a fair and orderly trial to stand up."

"Every man in the courtroom," Judge Park said, "stood up."

"Under the constitution," he told his hearer, "no man must be deprived of his life, liberty or pursuit of happiness except by due process of law. As long as the constitution stands this precept must be held."

A special court session was called to handle the case. Boyer was indicted by the grand jury. Five other Negroes were brought into the case as material witnesses. No charge was made against them.

The state charged Motorcycle Policeman Stafford was shot down after he had halted a party of Negroes in an automobile. Officers said companions of Boyer accused him of the shooting.

Boyer was found late that night—Nov. 17—hiding in a chimney about 12 miles from the city and City Clerk A. J. Berry said a pistol was found in his possession. The Negroes were held at Macon for safekeeping and returned here today.

Sheriff R. C. Wiley said everything was "quiet and peaceful" and that there was no excitement at the trial.

## NEGRO GOES ON TRIAL IN SLAYING AT SPARTA

SPARTA, Ga., Nov. 25.—(P)—A jury was completed this afternoon for the trial of a negro booked as Winton Boyer, 23, for the slaying of Police Officer H. L. Stafford on November 17. Taking of testimony began this afternoon.

Sheriff R. C. Wiley said five negroes alleged to have been in the automobile with Boyer at the time of the shooting would testify, in addition to witness necessary to establish the formal evidence needed to complete the case. There may be one or two other witnesses for the state. Boyer was indicted by the grand

jury this morning and arraignment was waived.

Judge James B. Park is presiding.

Stafford was shot down as he halted a party of negro motorists. The negro defendant was found hiding in a chimney in a house about 12 miles from town and City Clerk A. J. Berry said a pistol was in the man's possession.

The officer had stopped the motorcar to determine if its occupants were sober. One of the negroes drew a revolver and shot Stafford three times.

The defendant was taken to the Bibb county jail in Macon, along with five other negroes detained material witnesses. The six were turned here today.

# John Henry Doesn't Know He Is to Die for Slaying

That Mob in Moultrie Was Just

another Group of Tor-

mentors to Him

*Telegraph*  
By FRANK HAWKINS

rate," the Negro recalled, and "I was glad they were there. Yessir, they were first rate."

Through trembling lips the doomed Negro inhaled deeply from a cigarette and swore that never before had he had any experience with the law. He doesn't even know if he had a lawyer at the trial in Moultrie. The lawyer, incidentally, pleaded for a life sentence.

John Henry Sloan, a husky 20-year-old Negro plowman who has been running from tormentors since, not even "the A. B. C's," he can "remember," is happy to be said last night, but he is a Baptist where he can run no further.

"Every night I say my prayers." Fifteen days before Christmas—unsaid the Negro who doesn't fully less fate should intervene—he will realize how badly he needs them. strapped in the electric chair because what family there is he left Milledgeville and society will be paid behind in Havana when he moved for the fatal shooting of Otis Gay to Moultrie in 1929. He is not married by the Negro on the night of Oct. 15.

As he sits in solitary confinement night that it was this girl who in the Bibb county jail, approximately 135 miles from the court, he had shot on the afternoon before house from which an angry mob attempted to seize him from national guardsmen. John Henry the Negro reported, "and then I started on up the road to return over and that he will not become another victim of lynch law.

John Henry fondly recalled last night that it was this girl who cooked the rabbits and birds which he shot Mr. Gay.

"We ate those rabbits and birds," he shot the gun, a single barreled .12-gauge gun which he had borrowed from a white friend.

But there is one thing that John Henry does not know, or if he knows he will not admit it. And that is that he must take a trip to the electric chair.

"You know what you are in here

for don't you John Henry?" the

Negro was asked last night as he

stood in the dimly lighted corridor

just outside his narrow grey cell.

"Some white men took me in behind me and they chased me for about a

mile. Folks has always chased me

and when I saw this man on the

bank near the road I thought he

was going to chase me so I shot. I

didn't aim to hit him and I didn't

see no lady with him. After I shot

I ran and took the gun home." The

young woman was not injured.

### Told No Different

"This is the first trouble I ever had," said John Henry, "I was in. They caught me down in Florida somewhere and took me to Albany. Then they slipped me into the jail at Moultrie late at night. They made me lie down in the car

and when I saw this man on the

bank near the road I thought he

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Killings-1935

Telegraph  
January 25, 1935

## *Ellaville People Are Commended* ~~Constitution~~ ~~Mac~~ ~~2-18-35~~

It is easy to understand that a community The calm and legal electrocution of Charlie Dodson, a Negro, at the state's prison farm slayer of one who is entrusted with protecting last Monday is worthy of more than passing the peace and safety of the people, and who notice. He killed one of the state's police dies in the performance of duty; but there is officers at Ellaville. The officer, William B. Souter, was worth a thousand such characters as Dodson, and the people of Ellaville felt that they adopted the right way.

Georgia may have plenty of sins to answer for at the judgment bar, but lynching should forever cease to be one of them, and Ellaville has set a commendable example.

## **MURDER CHARGED IN DEATH OF NEGRO AT HOME OF BURNS**

*Constitution*  
2-18-35

**Fred Danielly, 29, "Pee Wee's" Lieutenant, Held for Shooting Aid of Underworld Character.**

The people of this section are proud of their long lineage of the purest Anglo-Saxon strains. We often boast that we are pure stock, and that we have a background that cannot be claimed in any other section; but we have too often proved ourselves unworthy of our civilization. If we are the bravest and most chivalrous of peoples, we cannot afford to act like savages, no matter what the provocation.

We have an added responsibility in our stewardship over an inferior race. Whether we want the stewardship or not, it is ours to keep; and the day of accounting must come.

An Ellaville store was robbed on Christmas Eve night. The alert Policeman Souter quickly detected the robber, and went to arrest him. A man who gave his name as Fred Danielly, 29, of 93 Merritts avenue, The Negro had the advantage and poured three bullets into the body of the courageous N. E., was being held Sunday night in Fulton tower on a charge of murder, producing instant death. The Negro disappeared, and reports reached The Telegraph from seemingly reliable sources that he had been carried away and lynched. Some people claiming to have been among the lynchers made the report.

This was sad news in the office of The Telegraph, for the paper's opposition to lynching the law is well known. No apology is made for the stand that it has taken on the subject. It is a crime against Georgia when Georgians

Atlanta detectives, not satisfied with the theory that Sims, who was educated and supported by Burns, had committed suicide, launched an investigation Saturday which Sunday resulted in the arrest of Danielly.

According to Detectives S. B. McGarity and A. G. Stone, Sims was seen to stagger from his basement room and collapse on the driveway at the apartment house at 63 Merritts avenue. A man identified to detectives as Danielly, witnesses stated, came from the basement room shortly

Georgia.

## **2 Negroes Executed In ~~Constitution~~ ~~Mac~~ ~~2-18-35~~ Slaying at Weston**

MILLEDGEVILLE, Ga., March 7. (P)—Two negroes convicted of the murder and robbery of T. J. King, a shooting was "justifiable homicide." Weston, Ga., merchant were electrocuted at the state prison today. testimony at the hearing was that The negroes were convicted of an unidentified Negro attempted to attack a white woman near Ochlocknee yesterday afternoon, but

R. H. Lawrence, superintendent oflocknee yesterday afternoon, but the prison, said that one of the men fled when other persons appeared. D. W. Brown, confessed in the death and took refuge in Garlin's house. cell to the robbery of the merchant. The suspect escaped as officers arrived and said Arthur Bell, alias Wilburn, lived at Garlin's house today, and struck King with a stick.

Brown was electrocuted first. The testimony, Watkins added, went immediately afterward. Law told of a fierce battle at the house. Lawrence said Bell claimed to the last when the officers appeared. Two that he was innocent.

Negroes attacked Collins, and Jailer A third man convicted in the case, W. I. Carter, who accompanied Collins, recognized by police as a Willie Grimes, negro, has been given respite by Governor Eugene E. Talmadge. He was to have been electrocuted yesterday. The governor's office said it had received a statement from the convicted men that Grimes had no part in the crime. Both officers were injured by bloodhounds were put on his trail.

## **Douglasville Killing**

## **Confessed by Negro ~~Constitution~~ ~~Mac~~ ~~2-18-35~~ TWO NEGROES KILLED**

DOUGLASVILLE, Ga., March 7. Sheriff Mac Abercrombie tonight announced that Eddie B. Bowen, 22-year-old negro, had confessed the killing two weeks ago of Joe Carroll, of Carrollton, in a robbery attempt here.

Abercrombie said that Bowen had implicated Charles Morris, another negro, but admitted he was the actual shooter. Both were held in the county jail.

Bowen was arrested early today on suspicion. Authorities said he previously had served a chain gang sentence.

Bowen also told authorities that he had committed four burglaries of homes in the city in recent weeks.

## **NEGROES KILLED BY TWO OFFICERS *Telegraph***

Thomas County Police Attacked While Investigating Alleged Assault on Woman

THOMASVILLE, Ga., April 8. (P)

Two officers investigating a reported attempt to assault a white woman were attacked in a farm house near Ochlocknee today and shot two Negroes to death and wounded a third.

The dead are Gent Garlin, elderly Negro, and his son, James Garlin. The testimony, Watkins added, told of a fierce battle at the house where the officers appeared. Two negroes attacked Collins, and Jailer W. I. Carter, who accompanied Collins to the house, shot one of the men, Watkins said. Collins got free from his assailants and shot two other men fatally.

Both officers were injured by blows. Collins was struck on the face with a poker, and Carter was beaten with a shotgun, used as a club. Ochlochnee is about 12 miles north of here.

#### POLICEMAN SLAYS

#### NEGRO WITH PISTOL

A negro who, after terrorizing the neighborhood, threatened to kill the patrolmen who had been called to quell him, was shot and almost instantly killed in an alley off Crew street yesterday morning by Radio Patrolman G. W. Mauldin.

The negro, Henry Williams Mauldin, reported had a revolver in his hand when they met in the alley. He commanded him to drop the pistol and the negro lifted it up and snapped it several times before the patrolman fired, sending five bullets into the negro's body.

#### NEGRO SHOOTS YOUTH TO DEATH ON HIGHWAY

Corstitution  
Seven Are Held at Jones-  
boro Following Killing

of Boy

Marvin Clower, 20-year-old Atlanta automobile plant worker, was shot and killed and two others narrowly escaped death early yesterday morning when a negro man fired at them as the culmination of a roadside argument in Clayton county.

Sheriff E. L. Adams, of Jonesboro, said Clower was almost instantaneously killed.

Winfred Robertson, of Hampton, was wounded and a bullet cut through the clothes of a youth named Brown, but he was not hurt, the sheriff said.

Clower, who resided in Hampton, but worked in Atlanta, and several friends were riding in a car when they met a group of negroes going home from a party near the Clayton-Spalding county line several miles from Griffin. An argument developed and as a result a negro man drew a pistol and fired several times at the white youths. Clower died before he could be taken to the Griffin hospital. Robertson's wounds were treated there.

Sheriff Adamson arrested seven negroes, including two girls, who are held in Jonesboro as material witnesses.

The Clayton officer said the name of the killer was known and a search is being conducted for him.

Clower was the son of Mr. and Mrs. W. C. Clower, of Hampton, and is also survived by a brother, Ray, and Mrs. J. H. Conkle, of Lovejoy, Ga., and T. M. Clower, of Hampton. The funeral will be held at 6 o'clock this afternoon at the Lovejoy Methodist church and interment will be in the Hampton cemetery.

#### THREE NEGROES SLAIN NEAR CRAWFORDVILLE

CRAWFORDVILLE, Ga., June 6. (AP) — Three negroes were slain on a farm seven miles from here today and Sheriff R. M. Moore announced that he was seeking a fourth negro for the murders.

The Crawfordville Advocate-Democrat said the dead were Rose Cotton, her daughter, Tommie Cotton, and Rube Durham, and that the man being sought was Duke Love.

Reports here said the slayer went to the house where Rose Cotton lived, called for her and shot her as she appeared. A neighbor, hearing the disturbance, rushed in and like-wise was shot down. The daughter Tommie Cotton, ran to seek assistance and was overtaken and slain with the gun butt. Her body was dragged to a porch, which was set on fire. The other officer, were taking Charlie Brown, Negro, to jail after the proprietor of a meat market assertedly had discovered Brown trying to break in his establishment.

The Negro is said to have snatched Mr. Whitehurst's revolver and fired once at him, then turning the gun on Mr. Coleman. The pistol is said to have snapped after wounding Mr. Whitehurst and this gave Officer Coleman time to pull his revolver.

Charged with the ax slaying of a Hall county farmer, a white man and two negroes were being held yesterday in the Fulton Tower for safe-keeping.

The white man, booked as Ernest Ellis, was accused by the negroes, Dilmus Charles and John Harrison, as having instigated the murder of Walter Simpson, 67, a farmer living near Gainesville.

Sheriff E. L. Adams, of Jones-

boro, said Clower was almost instantaneously killed.

Winfred Robertson, of Hampton, was discovered Sun-day by a neighbor who called at his home. He had been dead since Friday, it was said. His body was mu-

tilated and his head was crushed. Hall county officers brought the man, booked as Ernest Ellis, also was

employed by Simpson. A white

lived here while Charles recently

was employed by Simpson. A white

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#### Tifton Officer

#### Is Shot by Negro

7-6-35  
Whitehurst Brought to Macon;

#### Assailant Is Killed

After thwarting a reported bur-  
glary, Jack Whitehurst, Tifton po-  
liceman, was rushed to the Middle-  
Georgia hospital yesterday morning

375 Whitehall street, surrendered to  
police yesterday and was charged by  
them with murder.

Police said it was evidently a hold-

up attempt and that the assailant

probably thought Rutherford would

have the day's receipts from the store

drew alongside Jones' car or Garrett stolen.

street between Central avenue and

Pryor street and from which the bul-

let that fatally wounded Heath was

fired. Miss Jane DeVore, of

Ponce de Leon, who was riding with

Jones, narrowly escaped death in the

shooting, a bullet clipping an

ear from her ear.

Witnesses told police that the car

from which the bullet was fired appar-

ently was pursuing Jones' car. Jones

later reported at police headquarters,

namely Dodd as the man who fired

the shot, according to officers.

#### ATLANTAN ARRESTED

#### IN DEATH OF NEGRO

LAGRANGE, Ga., July 20. (AP) — Deputy Sheriff F. V. Dollar tonight said a man identified by him as Louis Britt, 21-year-old Atlanta, was arrested today in Montgomery, Ala., in connection with the slaying of an Atlanta Negro.

Dollar said Britt hired the

farmer, was found at his home near

here today and Sheriff J. L. Lawson

later announced the arrest of two negroes

near Gainesville.

The body of William Simpson, 67, a

farmer, was found at his home near

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near Gainesville.

The sheriff named the negroes as

John Daniel and Dents Charles. Dan-

iel lives here while Charles recently

Deputy Dollar said he had not ar-

rested him at a motive for the killing but

would question Britt closely as soon

as he could return the prisoner from

Alabama.

#### ATLANTAN IS CHARGED

#### WITH DEATH OF NEGRO

LA GRANGE, Ga., July 21. (AP) —

A man listed by Deputy Sheriff F. V.

Dollar as Louis Britt, 21, of Atlanta,

was brought to LaGrange today from

Montgomery, Ala., on a warrant

charged him with murder of Fred

Guffie, Atlanta, who

Guffie's body, four wounds on the

head, was found in his automobile just two weeks

off the Atlanta highway between La-

Grange and Hogansville early Sunday.

His wife swore out a warrant against

Britt and a woman, who was ques-

tioned by Dollar in Opelika, Ala. Dol-

lar said the man listed as Britt came

willingly to LaGrange, and had nothing

to say about the charges.

Guffie's wife named Britt and the

woman in Opelika as the persons who

had hired Guffie to drive them to

Barnesville last Friday.

A coroner's verdict laid the entire

blame on the Negroes.

#### ORAN DODD, 32, HELD THREE NEGROES HELD IN DEATH OF NEGRO

7-6-35  
Murder Charge Filed After  
Peter Heath Dies of Bul-  
let Wounds.

Denying charges that he fired a bullet that killed Peter Heath, negro of Howard, Ga., 375 Whitehall street, surrendered to police yesterday and was charged by

Dodd police said, was named by W. H. Jones, of 174 Dill avenue, as the occupant of an automobile which with him. However, nothing was

drawn alongside Jones' car or Garrett stolen.

street between Central avenue and

Pryor street and from which the bul-

let that fatally wounded Heath was

fired. Miss Jane DeVore, of

Ponce de Leon, who was riding with

Jones, narrowly escaped death in the

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#### ORAN DODD, 32, HELD THREE NEGROES HELD IN DEATH OF NEGRO

Killings - 1935

Georgia.

## NEGRO SENTENCED

Chair Awaits 17-Year-Old Who Killed Police Chief

ELLAVILLE, Ga. — (AP) — The sentence of death, pronounced only a few hours after he was indicted, hung Tuesday over Charlie Dodson, 17-year-old Negro, who shot and killed Chief Police Souter Christmas Eve.

**UNLAWFUL KILLINGS**

To the Editor of The Telegraph:

The killing of Chief Souter. Lawful and unlawful killings as defined by Georgia law are burglary at night, killing in self-defense, town and hundreds of citizens joined in the search for Dodson and killing in defense of father or mother or Parker. who was captured by Sheriff Rigg's child. All others are murder, according to the by and rushed to Columbus, Ga. statutes of crimes in Georgia, and under national jail for safekeeping. Brought back Monday, in a short time Dodson was indicted, convicted and sentenced to die Jan. 21 in the electric chair at Milledgeville.

The trial Monday was conducted without any show of violence, courts, can and must be protected by the federal which officers here said was threatened immediately after the chief was killed. The only time that the crowd of approximately 1,000 persons grew restless was when Dodson took the stand.

We have as white people over eighteen hundred years of civilization. It has been barely a hundred years since the Negro was brought as a slave from the jungles of Africa. Let our courts who witnessed the execution, that he he and Chief Souter were fighting three hundred years ago. He said he pulled it from its holster and protect all men alike in Georgia. I abhor crime, shot the police chief. Dodson had been arrested a few minutes before the shooting on a charge of stealing goods from a local store. His statement was the only defense offered.

The jury convicted him after deliberating only about 15 minutes.

The trial was held at a special session of the Schley Superior Court, with Judge Harper presiding.

## Death Sentence Given

### Police Chief's Slayer

ELLAVILLE, Ga., Dec. 31. — (AP) — Charlie Dodson, negro, today was sentenced to die in the electric chair January 21 for the slaying of Chief of Police William B. Souter, here Christmas Eve night.

A Schley County superior court jury deliberated 15 minutes in the trial of Dodson, whose only defense was his brief statement on the stand that he and the officers were fighting when he saw the chief's gun pulled it from its holster and fired three times at the officer.

The shooting followed the robbery of a store here and the state offered several witnesses who described the shooting and robbery.

**GRIEVING NEGRO SLAYS EX-SWEETHEART, SELF**

Thwarted love, according to police, Thursday night caused a negro, Will Hawkins, of 521 Memphis street, to shoot and kill his former sweetheart, Ethel Willets, negro, of 520 Bass street, S. E., and later turn the gun on himself. Both were dead when found.

The negro, according to police, re-

ports, had been grieving for six months over the marriage of his former sweetheart and Tuesday night went to her home and shot her in the back, killing her almost instantly. He then walked to a spot near 422 Fraser street, where he put the pistol in his mouth and fired the shot which instantly killed himself.

### UNLAWFUL KILLINGS

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## NEGRO CONVICT SLAIN ON DEKALB CHAIN GANG

Argument over a card game played three days before resulted Tuesday night in a fight in the bunkhouse of the DeKalb county chain gang camp, which ended when one of the negro convicts, Henry Terry, 34, stabbed Robert Gaither, 30, negro, through the heart with a small penknife. Gaither died almost instantly according to DeKalb Chief of Police W. O.

## POLICE CHIEF SLAYER IS EXECUTED IN CHAIR

MILLEDGEVILLE, Ga., Jan. 21. — (AP) — Charlie Dodson, negro, convicted of slaying Chief of Police William B. Souter, of Ellaville, was electrocuted at the state prison farm today. He was placed in the chair at 10:07 a. m. and was pronounced dead 12 minutes later.

Dodson was convicted at Ellaville December 31. The officer was shot

three times following his attempt to

arrest Dodson last Christmas Eve after

he had been arrested a few

minutes before the shooting on a

charge of stealing goods from a

local store. His statement was the

only defense offered.

The jury convicted him after de-

liberating only about 15 minutes.

The trial was held at a special

session of the Schley Superior

Court, with Judge Harper presid-

ing.

**Patrolman Indicted**

## In Slaying of Negro

After hearing a large number of witnesses Friday Fulton County grand jury returned an indictment charging R. E. Floyd, city policeman, with the murder of Ben Anderson, a negro, last Saturday.

The negro was shot when officers sought to stop a shooting affray on the street, it was said. According to the solicitor-general's office testimony before the grand jury concluded as to the shooting, one negro undertaker's employee testifying that there was no external evidence of a bullet wound, substantiating statements said to have been made by the police that the man was shot in the mouth and that the bullet remained in the body, while another undertaker said that Anderson was shot in the back, the bullet entering below the shoulderblade and severing the aorta.

J. C. Burke, negro, pleaded guilty to a New Year's Day burglary at the home of R. G. Markillie, and was given a sentence of 8 to 10 years by Judge Howard.

Thomas Junior Robinson was found guilty of robbing J. B. Powell, of Kite, Ga., of his automobile and \$16 and was sentenced to serve three to five years. Carl E. Morris, Floyd Walker and George Morris Jr., jointly indicted with Robinson, have not been tried.

A \$4.78 burglary of Hobart Manufacturing Company December 12 resulted in the jury conviction of John W. Murphy, whom Judge Howard sentenced to serve from three to ten years.

## Ellaville People Are Commended

The calm and legal electrocution of Charlie Dodson, a Negro, at the state's prison farm last Monday is worthy of more than passing notice. He killed one of the state's police officers at Ellaville. The officer, William B. Souter, was worth a thousand such characters as Dodson, and the people of Ellaville felt that way about it, as they beheld the bullet riddled body of the officer. But they did the wise thing, the civilized thing—they respected their own laws and their own courts, and gave the murderer the benefit of a fair trial. Thus they have saved the good name of their own community and of the state of Georgia, and indeed of the whole South.

The people of this section are proud of their long lineage of the purest Anglo-Saxon strains. We often boast that we are pure stock, and that we have a background that cannot be

claimed in any other section; but we have too often proved ourselves unworthy of our civilization. If we are the bravest and most chivalrous of peoples, we cannot afford to act like savages, no matter what the provocation.

We have an added responsibility in our stewardship over an inferior race. Whether we want the stewardship or not, it is ours to keep; and the day of accounting must come.

An Ellaville store was robbed on Christmas Eve night. The alert Policeman Souter quickly detected the robber, and went to arrest him. The Negro had the advantage and pounced

three bullets into the body of the courageous officer, producing instant death. The Negro disappeared, and reports reached The Telegraph from seemingly reliable sources that he had been carried away and lynched. Some people claiming to have been among the lynchers made the report.

This was sad news in the office of The Telegraph, for the paper's opposition to lynching the law is well known. No apology is made for the stand that it has taken on the subject.

It is a crime against Georgia when Georgians throw their legal machinery into the discard and stain their hands with murderous blood.

It was with great rejoicing that news was later received that the responsible and law-abiding citizens of Ellaville had speeded the officer's murderer to Columbus jail for safe-keeping.

He was given trial on Dec. 31, and sentenced to death. He admitted in the death cell that he had killed the policeman. He paid the law's penalty last Monday, Jan. 21.

It is easy to understand that a community

wants to see punishment inflicted upon the slayer of one who is entrusted with protecting the peace and safety of the people, and who dies in the performance of duty; but there is always a right way and a wrong way; and it is comforting to know that Ellaville's people adopted the right way.

## THREE NEGRO WOMEN INDICTED FOR MURDER

Three negro women were named in indictments returned by Fulton county grand jury Friday charging murder.

Willie Mae Lane is charged with the pistol murder of Ada Spivey February 4. Frankie McKnight is charged with the murder of Levitt Hecton, who was shot to death February 4.

Mary Weaver is charged with the fatal stabbing of Idell Banks February 6.

A \$25 robbery of Carroll Baking Company December 22 resulted in an indictment charging W. S. Hutchins, negro, with robbery.

## 5,000 Attend Funeral Of Slain Strike Figure

ROSVILLE, Ga., Feb. 5. — (AP) —

A crowd estimated by police at 5,000 jammed the Rossville arena, labor union meeting place, here today as five preachers conducted a public funeral service for Columbus (Pink) Walker, assertive sympathizer killed Sunday in a new outbreak in the Richmond Hosiery Mills strike.

Two American flags and the banner of the United Textile Workers were raised from a post in the center of the arena, which is used for boxing and wrestling matches as well as for a meeting place. On it was Walker's flag-draped casket, banked with flowers.

Burial took place in the National cemetery, and traffic officers estimated that several hundred cars followed the hearse along the seven-mile route. No disorders were reported either at the Richmond mill here or at its Daisy and Soddy (Tenn.) plants, where strikes also are in progress.

Walker was shot to death Sunday as he and a companion called at the home of a mill worker who refused to leave his job to join in the strike. The worker, listed as Talmadge Lindsey,



# Killings - 1935

# ATTACKER FACES CLAIM MONEY PAID TO JURY TO DEMAND OF DEATH "WHITEWASH" JACK BLACKBURN OF CHARGE OF KILLING TWO

**Admitting Assault of 17, Slaying of One, He Is Hidden From Public.** CHICAGO, Nov. 15.—(ANP)—In Commission." formation subsequent to the inquest recently held into the slay fice spent six full hours, from 2 p. m. to 8 p. m. to reach the verdict. Witnesses testified as to how

State's Attorney E. V. Champion, Liam Parnell and Edward Ellis, shooting scrape with Bowman who of Peoria county, completed preliminary held on charges of being participant in front of his home when naries for a hastily summoned re-pants in the street fight in which his sweetheart, Victoria Richard, convening of the grand jury Tues-Houser, an innocent passerby, was 'screamed' to allegedly prevent day. He said with Thompson's al-fatally wounded, were freed when Blackburn and Parnell from shoot- leged confession of the attack and the coroner's jury under Deputy Edward Ellis. The latter is slaying of the 19-year-old girl available, a murder indictment could be Coroner Benjamin A. Grant found Bowman's nephew and was present that Houser had come to his death when Blackburn was beaten up. at the hands of "persons un- Blackburn, it seems, wanted to inspect a garage in the rear of voted late that day.

The prosecutor asserted every effort would be made to give the young tool-maker a speedy and fair trial, Attorney JJoseph E. Clayton, Jr., counsel for Houser's family, reported. Bruseaux, not 10 shots were fired, one of which

"I'm taking no chances," Championed colored criminologist, to make struck Mr. Houser who was walk-  
said. "The Peoria citizenry is naturally resentful and we feel it is better for all concerned to keep the circumstances of the case and the year old girl. However, police officers headed by detectives Harold  
slayer's whereabouts hidden at this time." information he has uncovered was

The state's attorney said he would release Julian Baxter, 24, amateur photographer friend of Thompson, into the hands of the police, who are taking into custody, as "G-men," the two men who turned over to the lawyer who in turn placed it into the hands of the four guns said to have been used and none of which were found.

"We are satisfied Baxter had nothing to do with the Hallmark case," Champion said. "In addition my investigator dropped from Houser's clothing to do with the Hallmark case, this involves certain high police officials, and these circumstances have mysteriously disappeared after it dropped from Houser's clothing onto the floor of the operating room."

Authorities termed Thompson "sex-mad" and asserted that in addition to his confession to police in the Hallmark case, a diary kept by him listed 16 other assaults. Champion, the state's attorney will be aping Bowman, and Attorney W. W. O'Brien, white, counsel for Blackleged victims.

Miss Hallmark's nearly nude body taken place. burn and Parnell, wrangled bitter  
was found last Monday in a creek in Says Money Paid Out ly. Clayton exploded a bombshell  
Springdale cemetery. She had suf- "We have information to show by asking the police what became  
fered a broken neck. that money was passed during the of the guns and the bullets.

that money was passed during the inquest at the county morgue on November 1 and we are also in possession of information as to the manner in which the four guns used were disposed of. This is so serious that we will present these findings to the Civil Service

Killings-1935

## ~~Paroled Lifer Stabs White Girl, Kills Negro~~

INDIANAPOLIS, March 7.—(P)—  
The doors of the Michigan City state prison closed tonight on Benjamin Gray, alias Carson Noel, 45-year-old negro, who was sentenced to 41 years on a plea of guilty to stabbing and beating Miss Lavina Rae Stoney, 19-year-old secretary. *3-9-35*

The negro told police that he had been sentenced to life imprisonment for the slaying of his common-law wife, Daisy Williams, in Louisville, Ky., in 1919, but that he was paroled in 1930. *Atlanta, Ga.*

He was confronted this morning by Thomas Irwin, negro, who accused Gray of murdering his mother, of Gracey, Ky., in January, 1932. When asked by a detective if he killed the Bowling woman, Gray replied: "I believe I do remember something about a scrap with her. Seems to me I did smack her with an ax."

Indiana.

Kentucky

Killings-1935.

## ~~FARMER IS SENTENCED FOR SLAYING NEGRO~~

OWENSBORO, Ky., May 30.—(P)  
Charles Huebner, Daviess county farmer, charged with murder in the slaying of Harvey Newton, 41, negro, was found guilty today by a jury in the Daviess circuit court and given six years in the penitentiary. Newton was one of three negroes killed by Huebner last January at the termination of a dice game. Huebner testifying in his own defense said "crooked dice" were used by the negroes and when he demanded return of nine dollars he lost an argument followed.

Killings-1935

Louisiana.

## HOLD NEGRO IN SLAYING Accused of Beating Salesman, Robbing Companion in Monroe

## ESCAPED CONVICT IS KILLED BY POSSE

MONROE, La., Jan. 22.—At a preliminary hearing in the Ouachita parish district court, Henry Hayes, 40, negro held in connection with the slaying of Edward D. Vaughan, Monroe furniture salesman, was ordered held to the grand jury. His bond was fixed at \$1,000.

While in his parked automobile on a lonely Monroe street with a woman companion the night of last Dec. 22, Vaughan was attacked with a club by a negro robber. He died a few days later. The woman was robbed but otherwise unmolested. She identified Haynes as the robber.

The other convict was captured. The convict killed was Robert

## LETTERS FROM THE PEOPLE

"I despise everything you say—but I will fight to the death for your right to say it."—Voltaire.

THE MURDER OF HUEY LONG!  
To the Editor of The Telegraph:

The Murder of Huey Long shows that he had himself elected Governor of Kentucky by South is still running true to form. This kind of thing has been going on from time immemorial, and I am afraid that the mind of the fire-eating, brain-storming Southerner will never be run to the contrary.

In the early nineties and later a man named W. C. Brann in Waco, Texas, published a monthly magazine called Iconoclast. Like Beckham, the Lieutenant Governor, served out Watson's Jeffersonian and Columbia Sentinel, it attacked everything and everybody whose opinions did not coincide with Brann's. He wrote many pamphlets, among them was Potiphar's Wife, which was a thriller, but could not be

"We are at a loss to understand how this little, obnoxious Yankee sheet found its way down in Texas unless wrapped around a signment of yellow mugs intended for Texas niggers."

Brann was so trenchant that his enemies could not defend, at least not in printable language. And so the usual thing happened. Brann charged that Baylor University was a hot bed of immorality. This was like waving a red rag in the face of a bull to a man named Davis, whose daughter was a student at Baylor. So Davis promptly loaded himself to the gunwales with explosives, walked to the office of Brann; and there they both settled it in the good old-time Southern way. The next morning the caskets of both were carried to the grave covered with banks of flowers, and the morning and the evening was the first day after the demise of W. C. Brann.

Hudson, 22, serving a robbery and larceny term from Lake Charles, La.

His companion who surrendered after the shooting was Robert T. Fuller, 31, under sentence for assault with intent to rob from Oberlin, La.

Hudson and Fuller, who escaped two days ago from the Angola penal farm 60 miles north of here by knocking down a guard, and taking his gun and riding off on two plow horses, were tracked to a point in the Tunica hills only a mile and a half from the farm.

They shot and killed two hounds with which the posse was trailing them before being located.

Companion Is Captured

TWO

Bloodhounds Killed

BATON ROUGE, La., Nov. 28.—

(AP)—One of two convicts fleeing

from the Louisiana penitentiary at

Angola was shot and killed late to-

day after gunfire exchange with a

posse.

The other convict was captured.

The convict killed was Robert

## LETTERS FROM THE PEOPLE

In the middle nineties William Goebel, a Kentucky like Long did in Louisiana. He rode roughshod over everything and everybody, and

A crazy lunatic and expert rifleman from the mountains secreted himself in the office of Caleb Powers and shot Goebel on the capitol

fire-eating, brain-storming Southerner will never be run to the contrary.

sworn in as Governor he was taken into the capitol and the oath of office was administered to him. He was unconscious at the

time and never knew anything about it.

Like Beckham, the Lieutenant Governor, served out Goebel's term. Caleb Powers was tried for the

crime, and as he was a prominent Republican politician, he was promptly railroaded to the

pen for life. It was proven conclusively that Powers was not even in Frankfort when the

Republicans swept the state. Caleb Powers was

pardoned and served several terms in Congress.

Even sessions of our courts and legislative assemblies have not been free from this thing.

For the most of us can still remember about 25 years or more ago at Hillsdale, Virginia, when

Judge Thornton Massey and Clerk Dexter Goad, and probably other court officials, were fired

upon in open court and killed by the Allen gang. And probably a few of us remember that

in 1838, Colonel Wilson, speaker of the Arkansas Legislature, fired from the speaker's

desk in open session and killed one of the members, Major Anthony by name, for an im-

piled insult.

Even the Civil War was not free from these high-handed murders. Gen. Theophilus H.

Holmes and Gen. John G. Walker of the Confederate Army, fought a duel, in which one of them, I think General Holmes, was killed; and Major Peter, a surgeon in the Confederate Army, shot and killed Major General Earl Van Dorn for alleged illicit relations with the wife of Peters.

Oh, well, probably in the Great Beyond these Southern fire-eaters will be placed in a pit by

themselves, and allowed to shoot at each other throughout eternity.

E. A. BUSTIN.

White Plains.

Killings-1935

Maryland.

# Killer-Cop Absolved by Marlboro Jury in July Slaying of Colored Man

~~Twelve Farmers Ignore Strong Case Against Fellow Townsman~~

## DEATH OF KATER

### STEVENS UNAVENGED

~~Defendant Unmoved, The State Flays Him as "Reckless Killer"~~

By SAMUEL H. LACY

MARLBORO, Md.—Here in the same courtroom where seven years ago he was convicted of an assault on a white man, Charles W. Flory, white Bladensburg town policeman, Flory was charged with manslaughter in an indictment returned by a grand jury before whom States Attorney Bowie had appeared with the findings of his probe. This probe had been taken up at the insistence of Attorney B. V. Lawson, of the National Association for the Advancement of Colored People's legal staff. Attorney Lawson and Thurgood Marshall, Baltimore, Md., a lawyer had been retained to represent the family of Stevens by the Women's Federation by the coroner's jury which inquired into the death

Tried before a jury of eleven white men and one colored, Flory sat throughout the trial and received the verdict with calm indifference. He seemed to feel sure of himself. He appeared to know he would be "taken care of" by State's Attorney Alan Bowie, who took up the case despite an ex-  
onereration by the coroner's jury which inquired into the death

### Called Wanton Killer

The jury had been given the case after an impassioned plea by Mr. Bowie to "place this wanton, reckless killer behind the bars." Manuel Silva, 40-year-old ship's carpenter, was killed in the cellar of his home at Doubt, near here, his body taken to Montgomery county and dumped beside the road, Sheriff Roy M. Hiltner said tonight. The man's badly charred body was found near Rockville today. His automobile was located two miles away. *Marlboro Spy*

and daughter the sort of protection that your wives and my wife, your children and my children, Frederick and Montgomery county officers arrested two Negro women for questioning. They declined to give the names of the women or to say what connection they had with the slaying. Sheriff Hiltner said it was clear that Silva had been killed in the cellar of his home. Blood stains were found there and there were signs that a terrific struggle had taken place. Bits of flesh also were found in the cellar.

**Negro Boxer Arrested**  
Alfred Brown, 25, a Negro boxer, was arrested in Montgomery county. He told officers there he was a stepson of Silva, but Sheriff Hiltner said there was no connection between the two men.

Silva was not married and lived a secluded life. A number of Negroes live in the immediate vicinity. Sheriff Hiltner said attempts had been made to burn the body but that he did not know where the attempted burning took place. Hiltner said he was confident, however, that the body was removed from Silva's home in his own automobile.

Parts of the upholstery of the car were singed.

The officer said Silva bore a good reputation in the community.

**Doing the Impossible**  
Witnesses stated that Stevens had been arrested on a traffic violation. The other part was conviction and was being transported in the care of Flory to the jailers who just wouldn't listen to reason. It was well nigh impossible to do this.

Mr. Bowie believed he had done it. Everyone appeared to believe it. He had done it—except Flory. The man, a middle-aged town officer sat expressionless as the twelve men

A verdict of a coroner's jury held that Flory was acting in the

line of duty and fired because he feared for the safety of his own life.

A little over seven years ago, it was brought out at the trial, Flory struck a white prisoner over the head with the butt of his revolver and was haled into court on an assault charge. He was convicted and fined \$50 for the offense.

### THREE ARRESTED

### IN MURDER CASE

*Telegraph*

**Negroes Held by Maryland Police After Body of Ship's Carpenter Is Found**

*11-10-35*

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Parts of the upholstery of the car were singed.

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Killings-1935

Michigan

# Attorney Says Police Killed Negro Woman

## Steps Taken To Force Criminal Prosecution of Those Responsible

(Daily Worker Michigan Bureau)

DETROIT, April 11. — Maurice Sugar, noted labor attorney and recently united labor candidate for judge of Recorder's Court, has taken steps to force criminal prosecution of two policemen responsible for the death of a Negro woman.

The killing of the woman occurred on the night of March 31.

A group of Negro people were attending a party at the home of Ellen Starks, 2003 Clinton St. Two of the women guests started arguing loudly, whereupon two policemen pushed their way through the door and began questioning everybody. The cops told Mac Smith, one of the two that had been arguing, to go home. When she persisted in her refusal, the cops threatened to throw her out. One of them took her by the arm, dragged her onto the porch and pushed her off. She missed all the steps and landed on her head on the sidewalk, fracturing her skull. Subsequently she died in the hospital.

A committee of the Nat Turner Club, an organization of Negro workers and intellectuals, asked Sugar and Samuel B. Keene to take up the case together with Robert Evans, Negro attorney, who is a member of the club.

When the committee and the attorneys went to the office of the Homicide Squad, Inspector Navarre immediately demanded that the lawyers leave and that he see the committee alone. Sugar protested. "This is the first step in the cover-up," he said. Turning to Assistant Prosecutor Nahabedian, he demanded to know whether he was going to participate in this attempt to whitewash the police. Nahabedian tried to squirm out of it, whereupon the entire committee left.

They were, however, soon called back and Inspector Navarre agreed to see them all.

Members of the committee

pointed out that the witnesses had been terrorized and given the impression that they were under arrest. If the prosecutor's office refuses to act against the two policemen, Sugar will attempt to secure a warrant for their arrest from a judge.

## FERRYMAN KILLS GIRL

### IN HOSPITAL ROOM

LUDINGTON, Mich., Nov. 14.—(AP) William Hanson, 23-year-old carferry deckhand who, officers said, confessed he killed Miss Marguerite Kraft, 28, hospital bookkeeper because she attempted to break off their friendship, was held in an unnamed jail tonight for safekeeping.

Miss Kraft died a few minutes after she was struck in the back by a shotgun charge, fired as she fled into the X-ray room of the hospital to escape her assailant.

Miss Irene Rounding, nurse, who was working in the room, told officers she grappled with Hanson in an effort to take the gun from him.

Killings-1935

Mississippi.

## Mississippi Court Affirms Negroes' Sentences But Criticizes Officers

JACKSON, MISS., April 29.—(P)—hanging imposed on Tom Carraway Jackson County negro, convicted four years ago of an attack on a white woman.

Deploring "tortuous" methods allegedly used to obtain confessions from three Counsel for the condemned negro im-

convicted Kemper County negroes in the

immediately filed a petition for a writ of habeas corpus, which was set for hear-

slaying of a white planter, and with a habeas corpus, which was set for hear-

dissenting opinion describing the trial

and conviction a "barbarity akin to mob The State Attorney General's office

spirit," the State Supreme Court today in brought Carraway before the court today

a sharply divided 4 to 2 ruling again and sought a definite date for the execu-

affirmed death sentence for the no.

tion.

The court overruled a suggestion of

Carraway has escaped the gallows sev-

eral times during the past four years

error on its original ruling of affirma-

tion and set June 6 as the new date of by writs of habeas corpus and appeals.

execution for the convicted killers of

The petition filed today maintained that

Raymond Stewart, planter

Carraway had been deprived of a fair

officers to obtain the confessions from original defense counsel had deserted the

Ed Brown, Yank Ellington, and Fred

Shields were criticized in both the pre-

vailing and dissenting opinions, but the

majority decision held that objections

to the recital of these methods in the

trial record were not properly presented.

The majority ruling left an avenue

of appeal to the U. S. Supreme Court.

Justice Virgil Griffith, author of the

dissenting opinion in which Justice

Anderson concurred, said affirmation of

the death sentence "to my mind," would

be as becoming a court as to say that a

lynching party has been legitimate and

legal because the victim, while being

hung, did not object in the proper form

of words at precisely the proper stage of

the proceedings."

Justice Cook in writing the prevailing

opinion said, while the court did not in

any case condone the methods allegedly

used by deputies sheriff in obtaining the

confessions, the defense did not raise its

objection to the inclusion of this con-

fession at the proper stage of the trial,

and that so far as the record showed,

its inclusion as a part of the evidence

was justified.

The dissenting opinion described the

method allegedly used in obtaining a

confession from the defendant Ellington,

saying: "... they hanged him by a rope

to the limb of a tree, and having let

him down they hung him again, and

when he was let down the second time,

and he still protested his innocence, he

was tied to a tree and whipped and still

declining to accede to the demands that

he confess, he was finally released and

he returned home suffering from intense

pain and agony. The record of the testi-

mony shows that the signs of the rope

on his neck were plainly visible during

the so-called trial."

Execution Date Fixed  
For Mississippi Negro

GULFPORT, MISS., April 29.—(P)—Circuit Judge Walter A. White of Pascagoula, today fixed May 31 as the date for the execution of the sentence of

"To affirm the Lower Court findings would be as becoming a Court as to say that lynching has become legitimate and legal, because the victim, while being hung up by the mob, did not object in the proper form of words at precisely the proper stage of the proceedings."

Another dissenting opinion, rendered by Associate Justice W. D. Henderson, referred to the governor and Carraway's attorney, United States Supreme Court decision on the Alabama Scottsboro case, in which the Federal body held, in effect, that the defendants were deprived of their rights when Negroes were excluded from the jury panel.

### DENIED FAIR TRIAL.

Justice Henderson declared:

"They were denied due process—a fair and impartial trial. Leaving out the confessions, the evidence was wholly insufficient to sustain conviction. It appears to me it is condemned by the principles laid down by the U. S. Supreme Court in the Scottsboro case."

Stewart was killed in March, 1934. He was beaten over the head with an ax and left in a house which was saturated with kerosene and then set fire.

### APPEAL MOVE SAVES

NEGROES FROM NOOSE

Mississippi Supreme Court Grants Stay to Trio

From Jackson, Miss., Bureau of The Commercial Appeal

JACKSON, Miss., May 6.—Chief Justice Sydney Smith of the supreme court today issued a stay of execution for the three Negroes under sentence to be hanged June 6 for the slaying of a Negro farmer.

Climaxing what has been preme court today issued a stay of execution for the three Negroes under sentence to be hanged June 6 for the slaying of a Negro farmer.

The order was granted to allow the Negroes to file an appeal before the United States Supreme Court on grounds that the Negroes were not given a fair trial.

The Negroes are Ed Brown, Henry Shields and Yank Ellington.

In dissenting from the majority opinion, two justices, Anderson and Griffith, pointed out that the Negroes were forced to confess the crime by "torture methods of officers of the law."

The majority opinion did not

take cognizance of the Ne-

groes' contention that they were

sanction the manner in which the

confessions were obtained, but

strung up to a tree and then con-

fessions beaten out of them. As

stated that attorneys failed to

associate Justice Virgil Griffith, dis-

ting objections during the trial.

senting declared:

### TENTH TIME MAY BE LAST

~~Commercial Appeal~~  
Gulf Coast Negro Needs Respite to Cheat Gallows Again

JACKSON, Miss., May 6.—Tom Carraway, gulf coast negro, facing his 10th execution date for a statutory offense, may go to the gallows May 31, unless Governor Conner intervenes.

Bidwell Adam, former lieutenant-

governor and Carraway's attorney,

United States Supreme Court de-

conferred with the governor today

concerning the respite, but was ad-

vised that a petition must be filed,

and a public hearing held.

Through the legal maneuvers of

his attorney, Carraway has dodged

the hangman on nine previous en-

gagements.

An appeal from the May 31

execution date set on the coast by

Circuit Judge White will be taken,

but Attorney Adam is afraid that

supreme court action cannot be re-

ceived before the scheduled execu-

tion.

~~Commercial Appeal~~  
Young Planter Slain

By Negro Farm Hand

~~Commercial Appeal~~  
Robert W. Scales, Fatally

Wounds Attacker

~~Commercial Appeal~~  
Sought to Take Gun

~~Commercial Appeal~~  
Previous Trouble, Coupled

With Report That Tenant

War Armed, Caused Him To

Seek To Disarm Him

~~Commercial Appeal~~  
Special To The Commercial Appeal

GREENWOOD, Miss., May 8.—

Robert W. Scales, 26, prominent

young planter of this county, was

shot and killed this morning by a

negro farm hand, after he had fa-

lally wounded the negro.

It was said by the sheriff's force

that Scales had had some trouble

with the negro, Henry Jackson, and

about 7 o'clock this morning went

to the negro's home to obtain a gun

which he understood Jackson was

carrying.

Mr. Scales obtained the weapon,

it is said, and was apparently at-

tacked by the negro, who fired five

times. During the exchange of

shots the negro was shot three

times. One shot pierced Mr. Scales'

left breast.

~~Commercial Appeal~~  
Attacker Dies

Mr. Scales died almost instantly

The negro was taken in custody by

LeFlore County officers but died a

short time later.

Mr. Scales was born in Waynes-

boro, Ga., but had made his home

here much of his life. He is sur-

vived by his wife, who was before

her marriage, Miss Susan Malone

of Greenwood, and one small

daughter, Mary Pillow Scales;

three uncles, Robert, Will and Wal-

ter Pillow, all of Greenwood, and

three aunts, Mrs. Mattie Pillow

Robinson, Mrs. Elizabeth Pillow

Oliver, and Mrs. Addie Pillow Wil-

liamson, all of Greenville, Ga.

Funera services will be held to-

morrow afternoon at 4 o'clock at

the First Presbyterian Church, with

the Rev. J. P. Marion conducting

the rites. Burial will be in the fam-

ily burial ground at Brooklyn

plantation.

### POLICE PROBE SLAYING

OF NEGRO PREACHER

~~Commercial Appeal~~  
MEMPHIS, Tenn., March 30.—(P)

Sheriff Sid Campbell, of Hernando,

Miss., said here today that he was

investigating the slaying near Hernando

of a negro preacher whose pockets

contained literature on the organiza-

tion of sharecroppers and who wore

an "every man a king" button in his

coat lapel.

Sheriff Campbell found the body of

the Rev. T. C. Campbell, a Marks, Miss.,

negro, was found in the shallow wa-

ters of the Coldwater River, just off

highway 51, by a party of fishermen

yesterday afternoon. He had been

shot through the heart. The corpse,

# UNITED STATES SUPREME COURT TO HEAR CASE OF MISSISSIPPAN WHITE PAIR HELD

JACKSON, Miss., May 16—(AP)—Yank Ellington, Henry Shields and Ed Brown will not die June 6 for the alleged murder of Raymond Stewart, white planter of Kemper county. *16-35*

Tuesday Justice Sydney Smith, of the State Supreme court, granted a stay of execution to permit attorneys for the condemned men to place an appeal before the United States Supreme court.

Ellington, Shields and Brown white couple were yesterday held responsible by the verdict of a coroner's February 8, by the National Association for the Advancement of Colored People intervened, and Negro worker, whose bruised and carried their cases again to the Mississippi Supreme court.

When the case was first taken to the high court, the verdict of death was affirmed but a strong dissenting opinion, scoring the tortuous methods used to obtain a confession, was written by Justice Anderson.

Two weeks ago, the Supreme court again affirmed the death sentence and set June 6 as the date of execution, but this time two justices dissented and both the minority and the majority opinions criticized the cruelty inflicted upon the men to force them to confess. However, the majority opinion held that counsel for the defendants failed to raise the issue of ill treatment at the right time.

## Negro 10 Times Given Death Penalty Saved

JACKSON, MISS., May 28.—(AP)—Four years ago Tom Caraway, negro, stood in the courtroom at Pascagoula and heard the judge condemn him to death for an asserted attack on a white woman. *5-29-35*

Today he stood in the bull pen of the Hinds County jail and learned that he is to be permitted to live.

Ten times during those four years the negro heard the death sentence intoned to come about the premises. The negro's body was found yesterday to earth, only to rise again. Ten times when it came to the surface of a he prepared for the march to the gallows.

Gov. Conner signed the commutation of the death sentence today and wired the sheriff of Jackson County to stay the execution and turn the negro over to the penitentiary authorities.

JOURNAL  
Superv, Miss

2 1935

## IN DIXIE MURDER

### Needless Tragedies

*Associated Press News* **SEVEN** Negroes were victims of homicide in Lee County during 1934.

**Confess to Beating Worker to Death** Five persons were killed in automobile accidents.

CLARKSDALE, Miss., July 17.—A

white couple were yesterday held responsible by the verdict of a coroner's little booklet, "Needless Tragedies of 1934," just released.

Though 106 of the 471 persons murdered in Mississippi during 1934 were white,

all seven of those in Lee County were colored. This fact becomes more striking when we realize that Lee County's colored population is comparatively sparse.

From this limited information it appears that lawlessness is more of a problem among the colored people of Lee County than in the state as a whole.

Both homicidal deaths and automobile fatalities turned sharply upward in 1934. The former increased 9.7 per cent, the latter 42.5 per cent.

The improvement which set in as the depression took hold of the state is now be accepted.

Let Mr. Beck and John W. Davis, whose legal services of the nation's most expensive lawyers. Let the offer being reversed as prosperity is revived. Again we see the ugly effects of a little electric institute and the House of Morgan, be invited at once to help in the case of Tom Mooney. Tom certainly is without means. And how better serve the constitution than by gaining freedom for a man who has been in jail 19 years on a conviction obtained by perjured evidence? The constitution says no man shall be deprived of his liberty "without due process of law."

The league's president, Jouett Shouse, should be enlisted

## Hang Negro for Slavery

GREENVILLE, Miss., Aug. 2.—(AP)—Oliver Buckner, 35-year-old negro farm laborer, was hanged at the county jail here today for the ax slaying of Martin Robinson, negro, on a nearby farm, July 1933. "Ride God, have mercy on my soul," were Buckner's last words as Sheriff Ben H. Gilcart sprung the trap at 8:24 a.m. He was dead 13 minutes later. Buckner was convicted of slaying Robinson with an ax as he tried to steal Robinson's clothing.

## Accused Negro Slayer Gets Change Of Venue

WALTHALL, MISS., Nov. 26.—(AP)—With 200 armed National Guard preserving order, Judge John Allen today granted a change of venue to Zack Cockrell, young negro charged with killing Edward Wilson, 16-year-old white boy, and burning his body.

The court granted the change of venue at the request of defense counsel on the grounds that sentiment prevailing in Webster County would prevent the negro from obtaining a fair trial.

The case was transferred to Grenada, and the trial set for the January term of Circuit Court.

The negro, Judge Allen said, would be returned to the "mob-proof" Hinds County jail at Jackson, Miss.

## PORTLAND, ORE.

NEWS

DEC 9 1935

## To the Rescue

JAMES M. BECK proudly announces that any American citizen, "however humble," who is "without means to defend his constitutional rights in a court of justice," can command free of charge the services of "one or more" members of the American Liberty league's committee of lawyers.

Here, indeed, is good news for the oppressed—free services of the nation's most expensive lawyers. Let the offer

being reversed as prosperity is revived. Again we see the ugly effects of a little electric institute and the House of Morgan, be invited at once to help in the case of Tom Mooney. Tom certainly is without means. And how better serve the constitution than by gaining freedom for a man who has been in jail 19 years on a conviction obtained by perjured evidence? The constitution says no man shall be deprived of his liberty "without due process of law."

The league's president, Jouett Shouse, should be enlisted to appeal for a retrial of the three Mississippi negroes—Ed Brown, Henry Shields and Yank Ellington—whose conviction on a murder charge was based on a confession obtained by police torture. And maybe he will have time enough to sue for a fair trial for the Scottsboro boys.

Of course, these suggestions presume that Mr. Beck was not referring merely to those constitutional rights which flow from property.

Killings-1935

mississippi

Tupelo, Miss., Journal  
July 3, 1935

## Needless Tragedies

SEVEN Negroes were victims of homicide in Lee County during 1934.

Five persons were killed in automobile accidents.

These are the figures shown by the state Department of Vital Statistics in the little booklet, "Needless Tragedies of 1934," just released.

Though 106 of the 471 persons murdered in Mississippi during 1934 were white, all seven of those in Lee County were colored. This fact becomes more striking when we realize that Lee County's colored population is comparatively sparse.

From this limited information it appears that lawlessness is more of a problem among the colored people of Lee County than in the state as a whole.

Both homicidal deaths and automobile fatalities turned sharply upward in 1934. The former increased 9.7 per cent, the latter 42.5 per cent.

The improvement which set in as the depression took hold of the state is now being reversed as prosperity is revived. Again we see the ugly effects of a little money in the pockets of the people. Again we face the fact that mankind needs not only material things, but education in how to use them soberly and wisely in achieving a better life.

## MURDER CHARGED TO MISSISSIPPIAN

Body Found In 60-Foot Cistern  
Farm Neighbor, Woman Arrested, Indicted

HOUSTON, MISS., Aug. 21.—(P)—A white man charged with murdering his neighbor and throwing his body into a cistern in the southeastern section of this county was rushed to an unannounced jail today following his arrest.

Officers said they feared mob violence. The Sheriff's office reported that feeling was high against Jesse Nolan, 40-year-old farmer, who was arrested in connection with the strange death of Frank Stone, 43-year-old bachelor, whose mutilated body was found weighted down at the bottom of a 60-foot cistern.

Also under arrest was Mrs. Jim Bennett, at whose home Stone had made his home for several years. The husband, Jim Bennett, has been away from home recently at a CCC camp where he is employed. Mrs. Bennett was held on charges of aiding in the slaying of Stone, but

A coroner's inquest today, after hearing evidence presented by County Atty. H. B. Abernathy, was concluded with a verdict that Stone came to his death by a violent blow from a stick or blunt instrument "at the hands of Jesse Nolan."

Prosecutor Abernathy quoted Mrs. Bennett as saying that Nolan came to her home on the night of Sunday, Aug. 11, and after a difficulty there, struck Nolan with a stick. She said, Abernathy reported, that Nolan took Stone's lifeless body from the house, but that she did not know what he did with it.

A search had been in progress for the missing Stone since his disappearance with many neighbors joining in the hunt. The body was discovered in the old cistern about a mile from the Bennett home. Sheriff D. I. Neal said the head and face had been mutilated, with one eye pulled from its socket.

Acting upon information in his possession, Sheriff's officers arrested Mrs. Bennett and Nolan prior to the coroner's inquest today, and Mrs. Bennett, the officers said, made a statement concerning the slaying in which she assertedly named Nolan as the slayer.

## Greenville Planter Shoots Down Peon; Murder Is Called 'Justifiable Homicide'

"Mississippi Justice" Scores Another Victory When Planter Is Acquitted By All-White Jury.

Chattanooga, Tenn. News  
October 18, 1935

### A Strong Opinion

THREE illiterate Negroes were tortured into making a confession of a killing in Mississippi. Sentenced to be hanged, they appealed. It is said alibis for each are strong. The case reached the Supreme Court of Mississippi, and the death sentence was affirmed. Justice Virgil A. Griffith dissented.

In his opinion he objected to the use of a technicality to spring the death trap. A majority of the Court held that failure of the defense to object to the introduction of the confessions during the trial that no court shall by adoption made it impossible to grant a new give legitimacy to any of the works one on such grounds. Judge Griffith wrote:

"To my mind it would be as becoming for a court to say a lynch trial the body of that which in fact is the product of the mob, and party has become legitimate then by closing the eyes to the and legal because the victim, while tualties, complacently adjudicate being hung by the mob, did not that the law of the land has been object in the proper form of words observed and preserved."

at precisely the proper stage of The fact that the alleged confes-

sions were secured by torture and

at conclusion of his opinion is that grave doubt exists that either

of the three was guilty,

lends weight to the scholarly

opinion.

GREENVILLE, Miss., Sept. 12—Mississippi Justice scored another victory last Monday, when Jeff Locklear, manager of the Isham Evans plantation near Leota in the southern part of Washington county, was acquitted in the court of Justice of the Peace D. P. Shanahan on a charge of murdering an unnamed Negro plantation worker. The killing was called justifiable homicide.

The murder was the result of an argument that arose between the two men, when the Negro sought to collect wages which Locklear refused to pay, because the Negro's time had been entered on the books. It is said the Negro was fired twice at the plantation boss, who then killed the Negro with a shotgun in "self defense."

a noteworthy piece of reasoning. He said:

"It may be that in a rarely occasional case which arouses the flaming indignation of a whole community, as was the case here, we shall continue yet for a long time to have outbreaks of the mob or resorts to its methods. But if mobs and mob methods must be, it would be better that their existence and their methods shall be kept wholly separate from the courts; that there shall be no blending of the devices of the mob and the proceedings of the courts; that what the mob has so nearly completed let them finish, and

of the confessions during the trial that no court shall by adoption

made it impossible to grant a new give legitimacy to any of the works

one on such grounds. Judge Griff-

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**Needless Tragedies**  
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# MURDER CHARGED TO MISSISSIPPIAN

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Farm Neighbor, Woman Arrested, Indicted

little booklet, "Needless Tragedies of HOUSTON, MISS., Aug. 21.—(P)—A white man charged with murdering his neighbor and throwing his body into a

Though 106 of the 411 persons murdered in Mississippi during 1934 were white, all seven of those in Lee County were colored. This fact becomes more striking when we realize that Lee County's colored population is comparatively sparse.

From this limited information it appears that the mutilated body was found weighted down at the victim of a 60-foot ~~stair~~ <sup>ladder</sup>.  
that lawlessness is more of a problem. Also under arrest was Mrs. Jim Bennett, at whose home ~~she~~ <sup>he</sup> had made his home for several years. The husband, Jim Bennett, has been away from home recently at a CCC camp where he is em-

Both homicidal deaths and automobile fatalities turned sharply upward in 1934, was released under \$5,000 bond. The former increased 9.7 per cent, the latter 42.5 per cent.

The improvement which set in as the violent blow from a stick or blunt instrument "at the hands of Jesse Nolan," as Prosecutor Abernathy quoted Mrs. Bennett as saying that Nolan came to her home on the night of Sunday, Aug. 11, and after a difficulty there, struck Nolan with a stick. She said, Abernathy reported, that Nolan took Stone's lifeless body from the house, but that she did not know what he did with it. A search had been in progress for the missing Stone since his disappearance with many neighbors joining in the hunt. The body was discovered in the old cistern about a mile from the Bennett home. Sheriff D. I. Neal said the head and face had been mutilated with one eve-

Acting upon information in his possession, Sheriff's officers arrested Mrs. Bennett and Nolan prior to the coroner's inquest today, and Mrs. Bennett, the officers said, made a statement concerning the slaying in which she assertedly named Nolan as the slaver.

# Greenville Planter Shoots Down Peon; Murder Is Called 'Justifiable Homicide'

## "Mississippi Justice" Scores Another Victory When Planter Is Acquitted By All-White Jury.

GREENVILLE, Miss., Sept. 12—Mississippi justice scored another victory last Monday, when Jeff Locklar, manager of the Isham Evans plantation near Leota in the southern part of Washington county, was acquitted in the court of Justice of the Peace D. P. Shanahan on a charge of murdering an unnamed Negro plantation worker. The killing was called justified homicide.

The murder was the result of an argument that arose between the two men, when the Negro sought to collect wages which Ecklar refused to pay, because the Negro's time had not been entered on the books. It is said that the Negro fired twice at the plantation boss, who then killed the Negro with a shotgun in "self defense."

Chattanooga, Tenn. News  
October 18, 1935

## A Strong Opinion

THREE illiterate Negroes were tortured into making a confession of a killing in Mississippi. Sentenced to be hanged, they appealed. It is said alibis for each are strong. The case reached the Supreme Court of Mississippi, and the death sentence was affirmed. Justice Virgil A. Griffith dissented. In his opinion he objected to the use of a technicality to spring the death trap. A majority of the Court held that failure of the defense to object to the introduction of the confessions during the trial had made it impossible to grant a new trial on such grounds. Judge Griffith wrote:

"To my mind it would be as better coming for a court to say a lynching party has become legitimate than to be hung by the mob, did not that the law of the land has been object in the proper form of words observed and preserved."

the proceedings."

the conclusion of his opinion is that grave doubt exists that either of the three was guilty, lends weight to the scholarly opinion.

"It may be that in a rarely occasional case which arouses the flaming indignation of a whole community, as was the case here, we shall continue yet for a long time to have outbreaks of the mob or resorts to its methods. But if mobs and mob methods must be, once and their methods shall be kept wholly separate from the courts; that there shall be no blending of the devices of the mob and the proceedings of the courts; that what the mob has so nearly completed let them finish, and give legitimacy to any of the works of the mob, nor cover by the frills and furbelows of a pretended legal trial the body of that which in fact is the product of the mob, and then by closing the eyes to the legal because the victim, while guilty, complacently adjudicate

He said:

a noteworthy piece of reasoning.  
He said:

Chattanooga, Tenn., November 12, 1935

He said:



# Whites Kill Pastor Who Begged For Relief

HERNANDO, Miss., April 5 (By the Continental Press)—An unmistakable dislike for our people who are interested in, or sympathetic toward, getting relief for their poverty stricken brothers of the share-cropping class was indicated here Friday, when the body of the Reverend T. A. Allen of Marks, Miss., was found ~~shot~~ to death and weighted with trace chains about his waist, in a river near here.

Details as to his murderers are weighted with heavy chains and unavailable at present. The cluethrown into the Coldwater River button which was found in his to drown. On his coat lapel was a Huey Long button with the motto, "Every Man a King." He also carried literature which indicated he was interested in and sympathetic toward "Every Man a King." In his pocket was literature urging sharecroppers to organize a farm union.

## NEGRO'S DEATH MYSTERY

~~Commercial Appeal~~  
Preacher-Organizer Shot Thrown  
In Coldwater River

HERNANDO, Miss., April 2.—Sheriff Sid Campbell said today that he had been unable to unearth any clews as to the identities of the assailants of a negro preacher whose body was found in the shallow waters of the Coldwater River near here last Thursday.

The negro, Rev. T. A. Allen, of Marks, Miss., wore an "every man a King" button in his coat lapel. In his pockets were notes dealing with the organization of sharecroppers and tenant farmers, the sheriff said.

He was shot through the heart. The body was weighted down with trace chains.

## We Lynch a Preacher

Defenders of lynching used to boast that this crime would be unknown if it were not for rape. Lynching, they said, was the capital punishment for men who crossed the color line in sex.

If there be still any person with mis-information of this type, his opinion, however, and in a separate attention should be called to the opinion scored county officials for lynching of the Rev. T. A. Allen, allegedly torturing the negroes in order to force confessions.

The minister was a good citizen Ellington and Henry Shields. The and minded his own business. slain man was Raymond Stewart of He violated no law, but he was Kemper County.

### Majority Opinion

Taking cognizance of the asserted connection with the murder, was seized "torture" method of the officers, the by a deputy sheriff and others, majority opinion written by Chief "hanged by a rope to the limb of Justice Sydney Smith said:

"Nothing herein said is intended to even remotely sanction the method of the officers, the by which these confessions were still declining to accede to the demands that he confess, released and

The court's decision was in over-ruled. The suggestion of error filed by Brewer and Hewitt, defense attorneys.

Chief Justice Smith pointed out that the negroes were represented by "able lawyers of extensive practice and they made no move to have the confessions excluded, although the jury was sent out of the courtroom during arguments as to whether they should be introduced."

As to this contention, Justices Griffith and Anderson in the dissenting opinion said:

"To affirm the sentences, to our minds, would be as becoming a court to say that a lynching party has become legitimate and legal because the victim, while being hung by the mob, did not object in the proper form of at precisely the proper stage of the proceedings.

"In our opinion," they continued, "there is neither proper form of words, nor any proper stage of the proceedings in any such case as the record of the so-called trial now before us discloses. It was never a legitimate proceeding from beginning to end—it was never anything but a fictitious continuation of the mob which originally instituted and engaged in the admitted tortures."

Appeal Road Opened

Opening the way for an appeal to the United States Supreme Court, the dissenters continued:

"If this judgment be affirmed by the federal supreme court, it will be plished, on the next day, when the first time in the history of that defendants had been given time to court wherein there was allowed to recuperate somewhat from the torture coerced by the barbarites ejected, the two sheriffs, one of the of executive officers of the state, county where the crime was known to the prosecuting officers mitted and the other of the county of the state as having been so coerced, when the testimony was introduced and fully shown in all its detail so as to conform to the demands of their torturers.

"All this having been accom-

plished, the trial judge before some of them deputies, there to hear he closed the case and submitted it the free and voluntary confession to the jury, and when all this is not

of these miserable and abject de-

fully undisputed but is expressly and openly admitted."

To the suggestion that the state and federal constitutional sections of liberty and due process of law had been violated, the majority opinion stated that "no charge either of perjury or the suppression of evidence is here made. On the contrary, all of the facts to the confessions being coerced were known to the appellants when they were offered and were provable by their own personal testimony."

"All litigants, of every race or color, are equal at the bar of this court," Chief Justice Smith continued, "and we would feel deeply humiliated if the contrary could be justly said."

In reviewing the record, Justice Griffith pointed out that Ellington, after consistently denying any connection with the murder, was seized

J. C. Penney Co. vs. Mrs. Lillie Evans; circuit, Harrison; suggestion of error overruled.

O. F. Street vs. Town of Ripley; motion to advance sustained and case set for May 13.

BY JUDGE W. H. COOK:

Thomas K. Green et al vs. Board of Supervisors of Adams County; chancery, Adams; reversed and proceedings dismissed. Lee Calhoun vs. State; circuit, Adams; reversed and remanded.

New York Life Insurance Co. vs. Mrs. Mary T. Majet; circuit Leflore; affirmed. Mrs. Hester Franklin vs. Leake County Bank; circuit Leake; affirmed. J. A. Blount vs. Frank Miller, trustee; circuit Leflore; suggestion of error overruled.

Superior Oil Co., et al. vs. Elma Richmond, et al.; circuit Harrison; suggestion of error overruled.

BY CHIEF JUSTICE SYDNEY SMITH: H. E. Hales vs. State; circuit Smith; affirmed.

Tom Hodge vs. State; circuit Calhoun; affirmed.

Homer Pickle vs. State; circuit Neshoba; reversed and remanded.

Sun Life Assurance Co., et al. vs. Sarah Robinson McGee; circuit Leflore; reversed and remanded.

Board of Supervisors of Neshoba County vs. City of Philadelphia; circuit Neshoba; suggestion of error overruled.

BY THE COURT EN BANC: Mississippi Power Co. vs. W. O. Bennett; circuit Pearl River; affirmed. Ethridge dissenting.

Mississippi Power Co. vs. Mrs. Pearl House May; circuit Pearl River; reversed and remanded.

Ed Brown, et al. vs. State; circuit Kemper; suggestion of error overruled. Griffith and Anderson dissenting.

Hope From the South

*Under the law*  
D ESPITE THE fact that intervention of the governor or the United States Supreme Court is the sole hope of three Negroes facing hanging for murder in Mississippi, the minority decision of that state's Supreme Court in the case last week is heartening, and bodes hope for a new understanding of justice in the South. 5-16-55

The three men are scheduled to die June 6 for the alleged slaying of a planter. The lower court convicted them largely on their reputed confession—given when they were in the hands of a mob and had ropes around their necks. Associate Justice Virgil Griffith held that "to confirm the lower court findings would be as becoming a court as to say that lynching has become legitimate and legal, because the victim . . . hung up by the mob, did not object in the proper form of words. . . ."

His confrere, Justice W. D. Henderson, added: "They were denied due process—a fair and impartial trial. Leaving out the confessions, the evidence was wholly insufficient to sustain conviction."

Can the State of Mississippi or the United States Supreme Court permit these men to die in the face of such a convincing minority?

The sheriff of the county of the crime admitted he had heard of the whipping, but averred that he had no personal knowledge of it."

The Mississippi Power Company was ordered by the court to pay dollar for dollar on stock sold to W. Ollie Bennett, in Pearl River County.

Other decisions rendered by Division "A" follow:

BY JUDGE J. G. M'GOWEN:

I. C. Enochs, Jr., vs. Bank of Forest; chancery, Hinds; reversed and remanded only as to sale of collateral.

Harry (alias) Percey Jones vs. State, circuit, Warren; reversed and appellant discharged.

Bossie Bradford vs. State; circuit, Monroe; affirmed.

E. C. Weston et al vs. Merchants Bank & Trust Company; circuit, Hancock; affirmed.

Plant Flour Mills Company vs. Sanders & Ellis; circuit, Leake; suggestion of error overruled.

Annie P. Solomon vs. Continental Baking Co.; circuit, Coahoma; suggestion of error overruled.

Killings-1935

Mississippi.

# Fatalistic Negro Ghoul Laughs At Prospects Of Hanging For Murder

JACKSON, MISS., Jan. 16—(AP)—Dist. Atty. Greek P. Rice, of Clarksdale, said late tonight James H. Coyner, giant negro ghoul and suspected cannibal, held here for safe-keeping, had confessed the killing of Mr. and Mrs. Aurelius B. Turner, at Cleveland, Miss., last Dec. 9.

JACKSON, MISS., Jan. 16—(AP)—Turning a prosecutor's grilling into a discussion of his philosophy of fatalism, James H. Coyner, giant negro ghoul charged with the "butcher" slaying of a Bolivar County couple last month, shocked his questioners today with a loud laugh at the grim prospect of mounting the gallows for the crime.

"What is to be, will be," he said, laconically when his laughing was over and officers accused him of being a "cannibal."

The negro, paroled last June from the Indiana Penitentiary where he served a term for robbery of a grave, is charged with the slaying of Aurelius B. Turner and his wife in their home near Cleveland, Dec. 9.

Pieces of "salted and cured human flesh with the imprint of teeth thereon" allegedly were found in a suitcase belonging to Coyner. Thursday an exhumation will be made at Cascilla to compare the find by officers with parts severed from the Turner woman's body.

Though the negro denies any part in the crime, officers said he was wearing Turner's watch when he was arrested in the Cleveland postoffice last Saturday.

A lengthy questioning by Dist. Atty. Greek Rice and other officers in the Hind County Jail today yielded little more than a voluble discourse from the negro on his philosophy.

Asked by the district attorney if he had anything to say before he was brought to trial Feb. 4 at Cleveland, with a hanging certain if he is convicted, the burly Coyner replied:

"I believe in predestination. I believe that what is to be, will be; that everything we do or say is predestined and that we have no control over it."

"Do you know that you can be hanged on a conviction of murder, and that is what you are being tried for?"

Rice asked.

"Well," Coyner chuckled a bit, "I'm a fatalist, I believe in fatalism. There's nothing I can do about it if you want to try me for murder and then want to hang me."

"What were you doing with human flesh in your suitcase?" Rice shot at him.

"The last time I saw my suitcase there wasn't anything in it like that," the negro replied.

Rice revealed that other evidence against the Negro included a pair of

shoes he allegedly wore which footprints discovered near the Turner home, a box of colored crayon, which was similar to that used in writing obscene statements on buildings in Cleveland, and a pack of 54 obscene letters alleged written by Coyner and addressed to women in different sections of the country.

## FIEND VICTIM'S BODY MAY BE DISINTERRED

Court May Hold Social Session for Trial

NEGRO HELD IN JAIL

Bolivar County Willing to Pay Added Costs in Order to Get Speedy Hearing of the Evidence

A court order for the exhumation of the body of Mrs. Aurelius B. Turner, who was murdered with her husband at their home in Cleveland, Miss., Dec. 9, will be requested today by Greek Rice, district attorney of the Cleveland judicial circuit, Mr. Rice said here yesterday. Trapped in the postoffice here this

A special session of court for the morning through threatening letters trial of James Conyer, 39-year-old he is said to have mailed, James A. negro ex-convict who is accused of Coyner, 39, negro, was found in possession of the crime, will be called about Feb. 1, Circuit Judge W. A. Alcorn of fiend who murdered Mr. and Mrs. Clarksdale, indicated last night to Aurelius B. Turner during the night Chancellor Jackson at Cleveland. of last Dec. 8.

Law requires that the session be called 20 days before the trial is held.

Members of the board of supervisors of Bolivar County, at a meeting with citizens of Cleveland yesterday, expressed themselves as willing to pay the costs of a special term in order to have an immediate trial, according to County Attorney Green.

### Held In Jail

Conyer, arrested in the Cleveland postoffice Saturday morning by Deputy Sheriff Charles Maddox and Postoffice Inspector R. T. Rock, was taken to Greenwood for safe keeping. He was later removed to another unannounced jail.

Officers said that they found Mr. Turner's watch and pistol in the negro's pockets, together with threatening letters to Memphis and

Cleveland women. At Conyer's home the officers said that they to the Turners, who had been held found the knife believed to have several weeks as a suspect. been used in mutilating the body of Mr. Turner.

Conyer was trapped in the Cleveland postoffice when he called for an Indianapolis newspaper. Inspector Rock was seeking the sender of several threatening letters to Indianapolis women from various Mississippi towns. He suspected Conyer after learning that he subscribed to the Indianapolis paper.

Conyer is a paroled convict from an Indiana state prison. He served seven years of a 10-year sentence for moving dead bodies from cemeteries and attempting to sell them to medical schools.

## DUAL MURDER LAID TO NEGRO, JAILED

Suspect Is Arrested in Post-office at Cleveland

LINKED TO TURNER DEATHS

### Mailing of Threat Letters

Brings Arrest—Rushed to

Safekeeping—Disarmed by

Deputy, U. S. Officer

Conyer

Tena Coyner, who also is known as Alonzo Robinson. The burly Negro once served a term in the Indiana penitentiary for grave robbing, and officers said he also had admitted stealing the skulls of several women from graves in Michigan.

#### No Signs of Disorder

While the jury was being empaneled today a large crowd, mostly men, filled the courtroom but there was no evidence of disorder. Soldiers bearing rifles with fixed bayonets sat in the witness chairs between the court and the spectators, while other guardsmen were stationed at vantage points throughout the building.

The arrival of Coyner in Cleveland early this morning from Jackson was marked by extraordinary precautions to prevent any possible trouble. Some threats of mob violence had been heard here.

The Negro, manacled, was brought here in what national guard officers described as a "lynch-proof" baggage car attached to a special train. Two hundred steel-helmeted soldiers manned the train and a system of signals had been worked out for rerouting it in the event conditions in Cleveland warranted such action.

Machine guns and barbed wire entanglements were set up around the courthouse, but the town remained peaceful throughout the day.

*Tyler, Miss. Journal*  
January 17, 1935

#### THEY WON'T NEED ANY GUARDS

James Coyner, negro cannibal, has confessed murdering the Turners in Cleveland several months ago.

He says that he wanted to kill somebody and decided to take it out on this family.

Sheriff E. R. McLean say that he will not need the protection of national guards when this negro is tried at Cleveland.

That is one time that the guards should stay at home. In fact it is the only time that we can remember that we ever did want to see the guards away at a trial for murder. But this is an unbelievable crime and this prehistoric monster should have to pay until it hurts.

# NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE RUSHES AID TO MISSISSIPPI

RICHMOND, VA.  
TIMES DISPATCH

FEB 8 1935

#### Mississippi Improves

In 1934, Mississippi's record for law and order was exceedingly bad. Its mobsters turned in six lynchings, which gave it first rating in the list of States whose citizens reverted during the year to this barbaric practice. All the other States in the Union lynched only nine persons between them during 1934.

In some degree, at least, Mississippi has made amends and vindicated its civilization in handling the case of JAMES COYNER. This Negro appears as the prize brute of the century. Not only did he murder AURELIUS B. TURNER and his wife for no apparent reason, battering out the woman's brains, but he cut portions of Mrs. TURNER's flesh from her body and preserved them as ghastly evidence of his crime.

Yet COYNER was not lynched. The State took every precaution against any such eventuality. He has been closely guarded since the crime. Two hundred National Guardsmen escorted him from Cleveland to Jackson for his trial. At the courthouse they set up sand bags and barbed wire entanglements to make his defense more secure. After he was sentenced to hang on March 4, the soldiers returned with him to Jackson, where every effort is being made to thwart the plans of any citizens who may be inclined to surrender to barbaric instincts and cheat the gallows.

The fact such protection has been afforded COYNER, and that no attempt has been made on the man's life is an indication, at least, that Mississippians are more disposed now than they were last year to

#### LAW OBSERVANCE URGED FOR TRIAL

#### Mississippi Students Seek Order In Slaying Case

CLEVELAND, Miss., Jan. 30.—(AP)—Students of Delta State Teachers College here have adopted a resolution urging observance of the law by citizens at the trial in Cleveland Feb. 4 of James Coyner, Negro, charged with the slaying of Mr. and Mrs. Aurelius B. Turner.

Coyner is held in jail at Jackson, Miss., pending his trial. Dist. Atty. Greek Rice has said Coyner has made a statement admitting the slayings.

The students' resolution, in part to be very little regard for that Court. The two who did act failed to object to the brutally extracted confessions, without which the crime from being forced to give evidence was wholly insufficient to convict. No witnesses were called at the "trial."

#### ORGANIZATION ASKS FOR IMMEDIATE FUNDS TO HELP IN SECURING OF FAIR TRIALS FOR THREE CONVICTED MEN

#### Appeals Case To United States Supreme Court

NEW YORK, Feb. 7.—In a strongly worded dissenting opinion, Justice Anderson of the Mississippi Supreme Court has roundly condemned the conviction of Henry Shields, Ed Brown and Yank Ellington, three Negroes accused of murdering Raymond Stewart, a white farmer.

They are sentenced to die February 8. Leaving out the confessions, the evidence was wholly insufficient to sustain the conviction, man, whether agreeably or by Judge Anderson declares, "the evidence is not known. Shields is said to have protested against this affidavit conflict that appellants were fair.

Shields was arrested following most brutal and unmerciful whipping of the death of Stewart and police pings and beatings at the hands of staged the usual subterfuge of persons who doubtless thought they "planting" a bloody axe and cloth were guilty. Wipe out these in his home. Nothing further confessions, and the court would have been forced to direct a verdict of guilty. The court had deduced in evidence. Following a staring it in the face his incomprehensible beating at the hands of the competent testimony without which police, Shields "confessed" and implicated Brown and Ellington. There could be no conviction. Must the lives of the appellants be taken, he said, offered him \$12 to help them kill Stewart about some en by the law, because their coun-sel failed to bring to the attention money allegedly due them. The sel of the court this incompetent evidence? Are they without remedy?ing savagely beaten. A number of two men also "confessed" after being

white men, including a minister, were called in to see that the confessions were made "freely and voluntarily." There is no other evidence against the condemned men. "Trial" Record For Speed; "Defense" a Joke. Arrested and indicted five days after the murder, the three men had neither time nor opportunity to do their part. Due process requires representation by counsel, later. Although four white lawyers either employed by the accused or appointed to defend the Negroes, one failed to show up at the trial and another failed to join so held in the Alabama cases. In some quarters there appears to be very little regard for that Court. The two who did act failed to object to the brutally extracted confessions, without which the crime from being forced to give evidence was wholly insufficient to convict. No witnesses were called at the "trial."

*Rumor Woman In Case  
Rumor has it that Stewart was*

Killings-1935

Mississippi

# Cannibalism Is Charged To Negro Grave Robber Held In Mississippi

No visitors were allowed in the jail to-day and no one was permitted to see Coyner without authorization of Bolivar County authorities.

JACKSON, MISS., Jan. 14.—(P)—Cannibalism surged to the front today in the investigation of James H. Coyner, huge negro grave robber, charged with the brutal double slaying in Cleveland, Miss., early in December of Aurelius Turner and his wife.

Startling charges were made by County Attorney E. H. Green, of Bolivar Mich., authorities to re-open the case involving the finding of the women's heads. They informed Mississippi officers that six-foot, four-inch, 240-pound negro with the trunk in which the heads were found was traced to Coyner, who acknowledged ownership, but denied any knowledge of the crime.

"Portions of human flesh," said Atty. Green, "salted and cured and with what appeared to be teeth marks, have been found at Coyner's home."

Announcement of the weird discovery was made following a grueling questioning of the negro in his cell in the mob-proof Hinds County jail where he was rushed after his arrest in Cleveland Saturday, and after Bolivar County authorities had filed a formal request for an order permitting exhumation of the Turners' bodies to compare missing portions with the "flesh" assertedly found in Coyner's home.

Green hinted that "cannibalism" might be advanced by the State as a possible motive for the gruesome mutilation-slayings.

The bodies of Turner and his wife, an expectant mother, were found horribly mutilated in their small Bolivar County home the night of Dec. 9.

A gun, an ax and a knife were used by the slayer, described by officers as a fiend. The bodies were slashed, dismembered, and strewn about the bedroom. Several portions of the bodies, officers said, were missing.

One of the slain couple's children was struck over the head and apparently left for dead, while another, sleeping in a crib, was unharmed.

County Attorney Green said questioning of the negro proved futile. "We boro case" in Alabama, three Negroes will be hanged in Mississippi post," he said, "but we've got the man."

Green said Coyner had been questioned concerning the unsolved mystery surrounding the discovery of the heads of four women in a trunk at Ferndale, Mich., eight years ago. He stated that the negro responded to all questions with a sullen silence.

Today's developments further intensified feeling here and in Bolivar County against the accused negro, and officers took additional precautions against possible mob violence.

Although the Hinds County jail is declared to be mob-proof, being situated atop the four-story courthouse and is accessible only by elevator and a narrow, well-guarded staircase, authorities increased the negro's guard.

## NEGROES FACING HANGMAN'S NOOSE

### Mississippi Case Similar In Many Ways To The Scottsboro Plea

*News*

JACKSON, Miss. (UPI-INS) —

Their case declared to be similar in a number of ways to the "Scottsboro case" in Alabama, three Negroes will be hanged in Mississippi post," he said, "but we've got the man."

Convicted of beating Raymond Stewart, Kemper County planter, to death with an ax, the boys appealed to the Supreme Court on the ground that confessions had been obtained by officers through third degrees and beatings. The Negroes are Ed Brown, Yank Ellington and Henry Shields.

#### Say Negroes Confessed

Kemper County officials said the Negroes had confessed to the sheriff individually and that robbery was the motive for the crime. The Negroes are alleged to have made confessions to other persons as well.

Stewart's body, according to evidence introduced at the trial, was taken from his house to a shed used for the storage of cotton seed. Kerosene was spattered here and there and the building ignited.

How Stewart managed to escape those flames alive, no one will ever know, but he did. It is believed he regained consciousness long enough to smother the fire and crawl out of the building, for he was found later by a Negro tenant. He was barely alive at the time of the discovery and was unable to give details. He died a short time later.

When the case came before the State Supreme Court, Justice Anderson contended the evidence, with the exception of the confessions, was inadequate for conviction. His dissenting opinion said:

"The evidence showed, without any substantial conflict, the appellants were driven to confess their guilt by most brutal and unmerciful whippings and beatings at the Feb. 8 for the execution of three hands of persons who doubtless thought they were guilty."

"Viewing the trial as a whole, it appears to me that it is condemned by the principles laid down in the Scottsboro cases," the confessions, the evidence was wholly insufficient to convict.

"Appellants were denied due process of a fair and impartial trial. Stewart was beaten with an ax and other weapons. Evidence Alev Loeb, Inc., vs. Trustees Pearl River who had neither time nor opportunity to do their part. Due process from the house to a shed filled with cotton seed, kerosene poured over it and lighted. Either Stewart was versed and remanded appointed by the court.

Similar To Alabama Case

"The court so held in the Alabama cases, and further the right was denied whereon, being arraigned, the accused was not asked whether he had employed or was able to employ counsel, or wished to have counsel appointed, or had confessed to him separately and remanded. whether he had friends or relatives and then repeated their statements to him before other officials and a minister, who might assist in that regard. The confessions revealed robbery to be the motive.

Judge Anderson held that without the confessions, the evidence tended in his opinion that the appellants were indicted five days after the crime. The second day after the indictments had been returned they were tried and found guilty on an alleged confession. He added:

"Four members of the bar had been appointed to defend them; one failed to act at the trial, one failed to join in the appeal. Those acting failed to object to the major parts of the evidence of confession.

"There appears to be very little regard in some quarters for that provision of the bill of rights guaranteeing persons charged with crime from being forced to give evidence against themselves."

## HIGH COURT UPHOLDS DEATH FOR NEGROES

Appeal Denied Despite Plea of Accused Was Not Asked Whether He Had or Was Able to Employ Counsel, or Wish to Have Counsel Appointed or Whether He Had Friends or Relatives Who Might Assist in That Regard If Communicated With; That Due Process Required a Fair, Orderly and Deliberate Trial.

### LIKENED TO SCOTTSBORO

#### Contends Two Condemned to Die for Murder of Planter

Was Denied Due Process of Law in Kemper County Appeal

BY KENNETH TOLER

Commercial Appeal Staff Correspondent

JACKSON, Miss., Jan. 7.—Despite the defense of one failed to act at the trial, and one failed to join in the dissenting opinion of Justice Anderson that the manner in which the lower court trial was conducted object to the major parts of the evidence is condemned by the principles laid down in the Scottsboro cases," the confessions, the evidence was wholly insufficient to convict.

"In some quarters, there appears to be very little regard for that principle of the bill of rights guaranteeing persons charged with crime from being forced to give evidence by the principles laid down in the Scottsboro cases. Their confessions were 'whipped or their equivalent are still in use.'

"Viewing the trial as a whole, it appears to me that it is condemned by the principles laid down in the Scottsboro cases. The negroes are Ed Brown, Yank Ellington and Henry Shields and against themselves. The pincers, Supreme Court of the United States, who appealed on grounds that the rack, the hose, the third degree of persons who doubtless thought they were guilty."

"Appellants were denied due and beaten of them."

Decisions by Division "A" follow: BY JUDGE M'GOWEN

The American Bankers' Insurance Co. vs. Mrs. Velma White, circuit Pearl River; reversed and remanded.

First National Bank of Memphis vs. Sam Hamilton Bros. vs. Peter B. Narciso, circuit Claiborne; affirmed.

BY JUDGE COOK.

Lee R. Hart et al vs. John P. Moore, sheriff of Kemper County; affirmed.

J. S. Love, superintendent of banks, vs. Charles E. Clark, circuit Jackson; reversed.

J. H. Robertson vs. G. & S. L. R. R. Co. et al., circuit Harrison; affirmed.

J. B. Gully, state tax collector, vs. C. O. Thomas et al., chancery Greene; affirmed.

Hamilton Bros. vs. Peter B. Narciso, circuit Harrison; affirmed.

Judge Anderson held that without the confessions, the evidence tended in his opinion that the appellants were indicted five days after the conviction, and charged that they were tried and judgment here for appellant.

"The evidence showed, without any substantial conflict, that the appellants were driven to confess their crime from being forced to give evidence against themselves."

Manaway Barton et al vs. John Hancock Mutual Life Insurance Co., chancery Bolivar; suggestion of error, overruled.

Hill Hodges et al vs. C. G. Trantham et al, chancery Prentiss; suggestion of error, overruled.

William C. Jenkins vs. State, circuit Coahoma; suggestion of error, overruled.

BY THE COURT EN BANC

Ed Brown et al vs. State, circuit Kemper; affirmed and Friday, Feb. 8, 1935, set as date for execution of the sentence, Anderson, J., dissenting.

"There appears to be very little regard in some quarters for that provision of the bill of rights guaranteeing persons charged with crime from being forced to give evidence against themselves."

"It appears to me that it is condemned by the principles laid down by the Supreme Court of the United States in the Scottsboro cases. Appeals were denied due process—a fair and impartial trial. They were represented by counsel who had neither time nor opportunity to do their part. Due process requires representation by counsel, either employed by the accused or appointed by the court. The court so held in the Alabama cases, and further that the right was denied whereon being



Killings-1935  
6

Missouri.

Officer Slays Negro other woman with him to Fort  
CARUTHERSVILLE Mo. April Scott.

22—Jess Wheeler, negro was slain. The Bingham's had been married here yesterday by Officer ~~4-23-35~~ Strey about seven years. They had a Bohanan in a running gun battle home at 908 Lafayette street on the after the negro had ~~run~~ Kansas side. For several weeks, Officer Will Medlin and escaped Bingham had been staying at his from the city jail where he was be- janitor's quarters.

ing held for questioning concerning a robbery late Saturday night.

## MOTHER'S DAY

## VISIT ENDS

## IN SHOOTING

*call*

Howard Bingham Killed by

Wife When he Returns  
From Fort Scott

5-14-35  
A few hours after he had kissed his mother goodbye in Fort Scott where he had three times, two taking effect.

spent Mother's Day, How ard Bingham, 53 years old, was shot and killed Sunday night by his estranged wife in his janitor quarters of the apartment house at 3715 Summit street. Mrs. Isabelle Bingham, 42 years old, arrested at the scene, confessed to police.

Bingham went to Fort Scott on Saturday evening. He returned home Sunday night and shortly af

ter his arrival, his wife came to his apartment. The shooting occurred about 9:30 p. m.

When police officers, summoned by Mrs. J. E. Moore, manager of employment since November, but the apartments, arrived at the basement apartment, they found Bingham clad in pajamas, lying on the floor with his head toward the doorway. His open pajama shirt revealed two bullet holes in his chest.

### Woman Holding Revolver

Mrs. Bingham was sitting on the bed holding a .38 caliber revolver. When an officer asked her whether she had shot her husband she replied "Yes" and handed the gun to Officer Fitzpatrick of station No. 4. When the officer asked her why she had done it she refused to answer, saying that she would talk at the proper time.

At police headquarters Monday, Mrs. Bingham said that she shot her husband during a quarrel in which she accused him of taking an

for some time she had been trying to get her husband to return home with her but that he had refused to do so. On Saturday when Bingham took her some groceries on the Kansas side, Mrs. Bingham said that he told her he was not going to take her to Fort Scott. She had reason to believe, she said, that he took another woman with him.

When she accused him Sunday night when he returned an argument ensued. She claimed that Bingham reached for a pistol before she fired the fatal shots from a gun she said she obtained from underneath some clothing in Bingham's room.

### Heard No Argument

The shooting attracted the manager who summoned police and an ambulance. When the ambulance arrived, Bingham was dead. In the revolver held by his wife, there were three loaded shells and three empty ones. The gun had been fired

Although Mrs. Bingham said an argument occurred before the shooting, Mrs. Moore, the manager,

and other occupants of the apartment said that they heard no unusual noise before the sound of the

shots. One tenant who lives directly above the janitor's apartment

said that the only thing he heard

was the sound of a gun shot. Mrs. Moore said that the only thing he heard

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Killings-1935.

New Jersey.

# RACIAL HATRED IS STUDIED IN 2 CCC DEATHS

*Timedown News*  
Youths Are Battered  
to Death in Car on  
Jersey Highway

Mob violence, fanned to a flame by racial resentment over the establishment of Negro Civilian Conservation Corps units in various parts of New Jersey, was being investigated by Atlantic City authorities in the brutal murder of two CCC youths Sunday morning.

The mutilated bodies of the two youths, Charles Green, 20, Leeds avenue, and Benjamin Hobson, 19, Mediterranean avenue, Atlantic City, were found early Sunday morning on the Trenton Turnpike, two miles north of Hammonton, N. J. The victims, on their way home to spend a three-day furlough, had been horribly beaten and their bodies hurled from a speeding car.

The slain youths, both members of a CCC company at Camp Dix, had been beaten to death, according to members of the State Police, who are investigating, together with detectives from the Atlantic City Prosecutor's office. Both sustained fractured skulls, and Hobson had a head wound that was apparently caused by a knife, although County Physician I. E. Leonard, who performed the autopsies, said it might have been caused by the body being thrown from a moving car.

The two bodies were so close together that it was believed both had been thrown from a car together. The suggestion that they had been the victims of a hit-run driver was scouted by the police, who declared their clothes were in too good condition for that. Their clothing was clean, and there was money in their pockets, which led to the belief that they might have been victims of race hatred, not robbery.

The bodies were discovered, lying on High Street last Friday and Saturday, face downward at the edge of the road, by a party of six white Trentonians, on their way to the shore at 4:30 a.m. Sunday, for a fishing party. Some of the six continued on into Hammonton to notify the state police at their barracks, and others remained with the bodies until the police arrived.

Investigating officers reported that the two were last seen Saturday night in a tavern at Indian Mills. They left after declaring they intended to hitch-hike to Atlantic City, as they were on a three-day furlough from the CCC camp, and wanted to visit their homes. They had been transferred to Camp Dix five months ago from a New York camp.

Funeral arrangements, in charge of an Atlantic City undertaker, were to be completed as soon as the county physician released the bodies for burial. Meanwhile, the police are continuing the investigation at Camp Dix.

Further weight was lent to the theory of mob violence by a statement issued by Dr. A. A. Alleyne, prominent Atlantic City physician, after he examined the bodies at the Charles A. Donoway funeral parlors. The statement read:

"The two young colored boys found were killed, presumably by a mob. Their heads show evidence of great violence by a blunt instrument. One had his right arm broken, such force being used as to fracture the humerus so that the bone is protruding through the flesh. One had the back of his skull fractured to such an extent that it is easily visible."

The mob theory is being investigated closely on the orders of Public Prosecutor James A. Lightfoot.

## NEGRO FARM LABORER MURDERED IN PROTEST OVER DISCRIMINATION

Attacked by White Pool Room Owner in Jersey  
Injured Man Was Refused Medical Aid, Thrust  
Into Jail Cell—Murderer Still Free

GLASSBORO, N. J., Sept. 3.—Jacob Tyler, a Negro farm laborer of Eighty Acres, a Negro settlement near here, was murdered by the white proprietor of a Glassboro pool room

though his condition was clearly critical. He died Saturday.

South Jersey newspapers have not published a single word about this cold-blooded murder of a Negro worker. They are too busy helping Bridgeport, N. J., police in a campaign of lynch incitement against Romain Johnson, Negro farmhand, arrested on "suspicion" in connection with the recent murder of a white farm owner.

The International Labor Defense is initiating a protest campaign against the murder of Tyler and the lynch incitement in the local press. It is calling on South Jersey working class organizations to demand prosecution and punishment of the white murderer of Tyler and investigation of Jim Crow practices in South Jersey.

**LINCOLN, NEB.**  
**EVENING STATE JOURNAL**

OCT 2 1935

A New Jersey Negro who confessed to beating a woman to death has been legally sentenced to die. There was no lynching, no disregard of law on the part of the people, and the regular processes were permitted to be carried out. That is a more comforting story than it would have been had the anger of the people been permitted to rule. In this case the law says, after an orderly trial, that the Negro, who committed this crime while intoxicated, has forfeited all right to live. Society is thus protected from the criminal as well as from its self.

Tyler, with his brother-in-law, walked into the pool room on High Street last Friday and Saturday, refused to arrest the murderous started to play a game of pool. The white pool room proprietor and his brother-in-law, who had been invited to the pool room, ordered them out in abusive terms, the tenor of which was der arrest. Tyler was taken to the West Jersey Hospital, where he was refused treatment and was not even examined. He was then lodged in the Woodbury County Jail, without medical attention of any kind, al-

Killings-1935

New York.

Bronx, N.Y. Home News

JUN 14 1935

## Absence of Colored Jurors Wins New Trial

The conviction of James A. W. Jones, Newark colored man, for the murder of a night watchman has been reversed by the Court of Errors and Appeals in Trenton, N. J., and a new trial ordered. The court ruled that the trial court had refused to investigate charges that colored persons were deliberately avoided in choosing the jury.

**Copy of Telegram Also**

**Sent to Mayor's Inquiry Group**

*Waing*  
A demand for an investigation of the police murder of Edward Laurie, a 32-year-old Harlem Negro worker, Hospital.

who was killed early Saturday Laurie worked in a barber shop morning by Patrolman Abraham Zabutinski was wired to District Attorney William C. Dodge yesterday by the Daily Worker. A copy of the telegram to Dodge was sent to Arthur Garfield Hayes, member of the Mayor's Committee investigating the economic and social conditions in Harlem which led to last Tuesday's outbreak against starvation and Jim-crow discrimination in relief.

The Daily Worker's telegram to District Attorney Dodge states:

*Boycott*  
"Murder of Negro worker, Edward Laurie, Saturday morning by police officer Abraham Zabutinski sustains charges of Daily Worker of repeated violence against Negro people in Harlem. Insist you immediately investigate this killing by police and order an autopsy. We demand right to be present with qualified medical expert. This terror which has become commonplace occurrence in Harlem together with terrible starvation and discrimination in Harlem are at the bottom of recent events which District Attorney Dodge is trying to cover up by creating anti-Red hysteria."

(Signed) Editor, Daily Worker."

Laurie, who lived at 113 West 143rd Street, was savagely beaten up by Patrolman Zabutinski, who arrested him in the Eagle restaurant, at 511 Lenox Avenue, on a charge of "disorderly conduct." Zabutinski, one of the army of police prowling through every street and cranny of Harlem since last Tuesday's outbreak, was speedily exonerated by the police authorities and is still on active duty in Harlem.

**Died In Hospital**

Zabutinski's story, given by the police to the press, is that Laurie

for one, the discrimination of Harlem employers against the employment of Negro workers, undernourishment, literally created a powder keg to be set off by the slightest impact."

### Mayor Endorses Terror

Mayor LaGuardia on Saturday indirectly endorsed the man-hunt against Communist and militant workers in Harlem organized by District Attorney William C. Dodge.

Asked whether he did not believe that the work of Dodge diverged fundamentally from the line he had set down for his own committee, the Mayor answered:

"No, I think these are two separate and distinct functions."

"But don't you think that District Attorney Dodge's drive against Communists will tend to make the public forget about the vice probe?" the Mayor was asked.

## SLAYER OF GIRL, 9, HEAVILY GUARDED *Constitution* Youth Twice Attempts To Kill Self Following Confession.

GREENVILLE, N. Y., June 30.

(AP)—A heavy guard was maintained today at the hospital bed of young Alfred E. Voickmann, violin-playing butcher's boy, to forestall any new attempt at suicide following upon his reputed confession to the attack-slaying of 9-year-old Helen Glenn.

However, members of New York state's "Scotland Yard," who related the confession last night, said Voickmann apparently had regained his composure. The hospital guard, they added, was merely a precautionary measure.

The 19-year-old villager apparently was little the worse for the two doses of diluted poison he swallowed when, detectives said, the full repulsiveness of his crime startled him into panic.

The excitement that pervaded this Catskill resort of 300 persons had completely died down today, and there were none of the muttered threats of yesterday and last night.

Sheriff H. Clay Ferris announced a warrant charging first-degree murder would be issued shortly and the boy would be arraigned either at Greenville or at Catskill as soon as his condition warrants.

"The conditions of the Negro in Harlem, the overcrowded homes with two or three families occupying apartments originally planned

Killings - 1935

New York

## Race Hatred

~~Daily Worker~~  
Hearst's New York Journal yesterday started whipping up a lynch-hysteria against Negroes. An eight-column headline in type an inch high screamed: "Ape Man Admits Park Killing."

A Negro, George Wilson, has been arrested and is reported to have "confessed" the killing of a woman in St. Nicholas Park. Anyone familiar with police methods, especially when dealing with Negroes, knows how these "confessions" are obtained. The Negro was also "identified" as the slayer of another woman on July 15, but a few hours later the man who "identified" him said he wasn't sure. The "confession"—most likely extracted with blackjacks and brass knuckles—is probably equally reliable.

Hearst is using the same methods here as he used in Detroit last summer when his newspaper, the Detroit Times, led the attempt to frame-up the Negro worker, James Victory, on the basis of a similar "ape man" hysteria. They are the methods of fascists the world over. The very use of the term "ape man" stinks of the slave-market.

The International Labor Defense should investigate this case and see that the arrested Negro gets his rights despite Hearst.

## Negro Suspect Held In New York Park Murder

NEW YORK, July 16.—(AP)—A negro suspect was arrested by Brooklyn police at the ~~Bergen Street~~ subway station today in the "nickel slaying" of 23-year-old Leonora Rivera.

A negro accosted the girl and her escort, Albert Martinez, 35, in Morningside Park early yesterday morning. Martinez refused his request for a nickel. The negro, Martinez said, drew a knife and slashed him and then stabbed Miss Rivera to death.

The suspect was spotted by a subway employee at a Harlem station. A squad of 40 policemen hauled him out of the car in Brooklyn after a five-minute fight that attracted a crowd of 1,000.

He denied the attack. Manhattan homicide squad detectives took him to the Harlem Hospital late tonight for Martinez to view in an attempt to identify him.

## NEGRO KILLS GIRL

### Male Companion Beaten in N. Y. Park Holdup.

NEW YORK, July 15.—(AP)—A negro holdup man stabbed a young white woman to death in Morningside Park early today and beat and robbed her companion, Alberto Martinez, 25.

The woman was not immediately identified. Martinez said he knew her only as Anna.

He said he and the girl were sitting on a bench when the negro approached and demanded money. Martinez started to fight. The negro slashed him on the arms, knocking him down and rifled his pockets.

The girl ran away screaming. The negro overtook her, Martinez said, and stabbed her under the heart. She was dead before a physician arrived.

## Lover Held in Death Of White Prostitute

### Amsterdam News Woman Had Once Been Picked Up as Witness in Another Murder Case in Harlem

7-27-35

Anna Brooks, a homeless white prostitute, who was picked up by police last year in connection with another Harlem slaying, was stabbed fatally Thursday night in St. Nicholas Park. Police arrested the woman's lover, Oscar Wilson, no home, who confessed that he slew her because of jealousy. She was found lying on her back on a rock thirty feet above street level, between 133d and 134th streets, at the rendezvous. They said Wilson when Patrolman James Carter Sandchased the interloper with an open of the West 135th street station was ~~penknife~~ ~~stabbed~~ man whom he found in the led to the scene by six eye-witnesses. She had been stabbed twice, in the right hand and in the base of her neck. She died before aid could reach her.

A misleading account of the slaying was given by the Daily News in its late Friday morning edition. According to the tabloid, the "Ape Man" was "seized as he fled from crime."

The 34-year-old Wilson was arrested at the scene of the crime by Patrolman Murphy of the West 135th street station. He had made no attempt to escape. Under questioning by Detectives Leef and Flinter he goes on to say that "she had apparently been picked up and dashed his victim because she had permitted head first against a large rock. Her a number of park habitues to "play skull was crushed and her neck with her." Police said the woman broken." According to the findings of an ambulance surgeon who examined the woman, none of these things

was neatly attired in a blue polka dot dress. She was arrested a year ago as a material witness in a slaying in 131st street.

She said on that occasion that she had no home. Wilson, according to police, has a criminal record.

According to witnesses whose names the police are withholding.

New York.

Killings - 1935

# Police Killer of Laurie Also Murderer of Boy

*Daily Worker* 3-28-35

## Zabutinsky Is Cop Who Shot Young Santos Fernandez in Cold Blood September 5— Officials Whitewash Both Acts

By Cyril Briggs

Patrolman Abraham Zabutinski, who murdered the Negro worker, Edward Laurie, early last Saturday morning at 136th Street and Lenox Avenue, is the same police killer who, on Sept. 5, last, committed the cold-blooded murder of Santos Fernandez, a Porto Rican school child, in the backyard of a chain store at 52 Lenox Avenue, Lower Harlem.

The Mayor's Committee to Investigate Social and Economic Conditions in Harlem, which has signed to the West 123rd Street police station. His murder of little Santos Fernandez evoked such indignation among the Latin-American workers of Harlem that he was held, is holding an open hearing transferred from the station, after Saturday morning, 10 o'clock, in the police authorities had white-7th District Municipal Court, 447 West 151st Street. Unemployed Har-

A tough guy and a ruthless killer. Lem workers who have been slugged Patrolman Zabutinski was transferred to the West 135th Street home relief bureaus, the eye-witness station, in the heart of Negro Harnesses of the police shootings on March 19, of the police murder of of Mayor LaGuardia in terrorizing Laurie, will attend this hearing and the Negro people of Harlem.

### Shot in Cold Blood

Little Santos Fernandez was shot down in cold blood by Patrolman Zabutinski, when the latter found him and another boy playing in the backyard of the chain store at 52 Lenox Avenue. Zabutinski accused the two children of trying to break into the store, and before the frightened boys could explain their presence in the yard, Zabutinski shot down Santos and turned his smoking gun on the other kid. The latter's screams "Please don't kill me," attracted the attention of workers in nearby tenement buildings. Theirs strong protests saved the intended second child-victim of LaGuardia's police thug.

The body of the killer Zabutinsky's latest victim, the Negro worker Laurie, lay yesterday in the funeral parlor of Eric C. Phillips, at 106 West 166th Street. District Attorney Dodge and the Rev. Keller, pastor of Bethel Church, have been sent to Mayor LaGuardia, organizer of the Communist Party in the city. Protest resolutions Aleck Dorson, Passaic section or-ganizer of the Communist Party, and of the Friends of the Unemployed worker Mayor's Committee to Investigate Social and Economic Conditions in Harlem, which will take place to-day at noon from Phillips' Funeral Parlor. Laurie leaves an aged mother, who is living in Key West, Florida, and a wife and four children from whom he had been separated for some time.

of the police department, to be conducted by agencies outside of the police.

The Unemployed Teachers Association wired Mayor LaGuardia a demand for a thorough investigation of school conditions in Harlem, pointing out that overcrowded schools, lack of playgrounds, etc., last September 5. Only the outcry of were contributory factors in the indignant outburst of the Negro people of Harlem on March 19. The Association, through Isadore Begun, chairman of its Executive Board, offered the testimony of Harlem teachers if assured by the Mayor of the protection against reprisals. The telegram concluded: "You promised to clean up the Board of Education. Do so now. We offer full

### Demand Slayer's Arrest

**PATROLMAN ABRAHAM ZABUTINSKI** murderer of the Negro worker, Edward Laurie, had cold-bloodedly murdered a Porto Rican school child in Lower Harlem on March 19. The threatened at the same time by this bloody

uffian. *Daily Worker* The fact that this ruthless police-killer of workers' children was assigned to duty in Negro Harlem, after protests forced his removal from the Latin-American community, shouts aloud of the brutal attitude of Mayor LaGuardia's police department toward the Negro people of Harlem.

"Genuine unemployment and social insurance is the burning need of the Negro people," the N. Y. Joint Action Committee for Social Insurance, 80 East 11th Street, declared in a statement issued yesterday on the Harlem situation.

"Every newspaper, without exception," the statement says, "admits that the basic reasons leading to the incident of March 19 were the mass unemployment, the discrimination, and the lack of adequate relief in Harlem." The Committee called upon Congressman Vito Marcantonio of the 20th Congressional District, Harlem, to exert the Dodge-LaGuardia attacks on the

Workers Bill, H. R. 2827, for genuine unemployment and social insurance without discrimination because of race, religion or political beliefs.

**PASSAIC, N. J., March 27.—**Passaic Negro and white workers will protest the growing political reaction in New York City, and the LaGuardia-Dodge attacks upon the Negro people of Harlem and the Communist Party in a mass meeting

of Edward Laurie, of the police terror in Harlem, of jim-crow discrimination against the Negro people in the administration of Mayor LaGuardia and District Attorney William C. Dodge. Demand the arrest and prosecution of Patrolman Zabutinski! De-

mand a real investigation into the murder of Laurie and for the arrest of Patrolman Zabutinski, has also received the support of numerous organizations in Harlem and through the International Labor Defense, and the League of Struggle for Negro Rights and the Communist Party will be addressed by Elwood Dean of the Negro worker of Newark, and relief by the city.

have been sent to Mayor LaGuardia, organizer of the Communist Party in the city.

The policemen who fired on Harlem workers on March 19. The organization demanded an investigation

# FORD PRESSES C.P. DEMAND FOR INQUIRY

*Daily Worker*

LaGuardia Committee

Bars Press, Public

From Session

3-26-35

A demand for an investigation of the brutal police murder of the Negro worker, Edward Laurie, in Harlem last Saturday morning, was made yesterday by James W. Ford, Harlem Section Organizer of the Communist Party, in the following letter to the Mayor's Committee for the Investigation of Conditions in Harlem as follows:

*New York*, March 25, 1935

"Chairman,  
Mayor's Committee for the  
Investigation of Conditions  
in Harlem,

447 West 151st Street,  
New York City.

"Gentlemen:

"Early Saturday morning Edward Laurie, a Negro worker, was murdered by policeman Abram Zabutinski at 511 Lenox Avenue. This unprovoked brutal murder confirms my statement made less than 24 hours after Tuesday's outbreak that repeated violence against the Negro people on the part of officers of the police department was one of the factors at the bottom of the recent events in Harlem.

"I insist that your committee make as its first official act an investigation of this killing by policeman Zabutinski, that his immediate arrest be ordered, and that an autopsy be performed upon upon the body of Edward Laurie in the presence of qualified medical experts.

"Our organization stands ready to appear before your committee at any time to supply additional information about starvation, discrimination, and police brutality in Harlem, all of which are basic causes of the outbreak on March 19th.

"I am making this an open letter to the press.

"Very sincerely yours,

(Signed) JAMES W. FORD,  
Secretary, Harlem Section of  
the Communist Party.

By Cyril Briggs

Edward Laurie, Harlem Negro worker murdered early last Saturday morning by a white policeman, was killed for "talking back" to one of Mayor LaGuardia's uniformed thugs. The killer, Patrolman Abram Zabutinski was immediately exonerated by his police superiors.

Eye-witnesses to the fatal occurrence at Lenox Avenue and 136th Street agree that Laurie had not swung at the policeman, as the latter claims. Laurie was savagely punched on the chin because he "talked back," because he called the officer "one of them wise coppers," when Patrolman Zabutinski placed him under arrest on a charge of disorderly conduct.

#### Brutal Lesson

Not to "talk back" to the white bosses and their police thugs—this is one of the brutal lessons that the LaGuardia administration is intent on teaching the Negro people of Harlem, through the bestial reign of terror it has launched against the Negro masses following their stormy outbreak last Tuesday night against their appalling misery, hunger conditions, and Jim-crow discrimination in relief and jobs.

This vicious aim of terrorizing the Negro population of Harlem is behind the savage sentences meted out with lightning rapidity by the courts against scores of workers arrested last Tuesday night and subsequently.

Terrorization of the people of Harlem, whitewashing of police brutality, covering up of the horrible conditions of hunger and misery in congested Harlem—these are the aims behind the "Red-baiting" by District Attorney William C. Dodge in his attacks on the time. Communist Party and other militant labor organizations in Harlem.

#### Terror Obvious

Symptomatic of the terror engendered in Harlem by the LaGuardia administration is the evident reluctance with which眼-will be safe in Harlem if this witness of Saturday's police murder is permitted to relate the event to the writer. Every worker, And not one was willing to have every organization, Negro and white, protest! Demand the release of his name used in connection with should support the demand raised by the Daily Worker in its telegram to District Attorney Dodge, an open investigation into police murder by a group of four Negro workers Sunday night on the corner for an open investigation of this workers Sunday night on the corner for an open investigation of this latest police murder in Harlem. Demand the dropping of the to investigate the economic and social conditions in Harlem which led to last Tuesday's outbreak in the community.

"Did either of you see Laurie of the Negro and white workers arrested last Tuesday night and in the community. swing at the cop?" I asked.

"That's just a damn lie," one of police raids on workers' organizations and homes since then. the two eye-witnesses replied. "That's just a damn lie," one of police raids on workers' organizations and homes since then. boy was drunk, but he did not swing

at the cop. At least not after he was brought out of that lunchroom," Laurie was murdered in typical pointing up Lenox Avenue to the Southern lynch lord fashion for Eagle Lunchroom at 511 Lenox "talking back" to a white police Ave.) "The cop suddenly punched man.

him on the button, and Laurie went limp all at once. His head struck the pavement as he fell."

"Did any of you see what happened in the restaurant?" I asked.

"No, we were crossing 136th Street together when we see the cop dragging Laurie out. That boy didn't make any pass against that cop. That's just the cop's excuse after he found he had killed him."

Other persons interviewed by the writer were more reticent. The white proprietor of a drug store at 213 Lenox Avenue brusquely replied

he "knew nothing whatever about the matter." The same reply, was given, less brusquely, by the white proprietor of the Harlem Grill at 515 Lenox Avenue.

#### Called Police

At the Eagle Lunchroom, the manager said he was not present at the time Laurie was arrested and killed by the policeman.

The night man told him, however, that Laurie was drunk at the time and had been "acting loudly." "He had paid his bill, but he kept shouting and carrying on, so the night man finally decided he had better call an officer. He had no idea things would turn

huddled up with fright in a back room of the Kress store. Mrs. Knauer was one of the white and Negro women who protested the outrage. She was herself threatened by a policeman, and told "You are not colored, so why the hell are you fighting for them?"

Quite clearly there was ample cause for concern over the treatment of the boy. Certainly, it is

The night man was absent Sunday evening. No one seemed to know his home address. At the barber shop, at 517 Lenox Avenue, where Laurie worked, the manager

described Laurie as "a quiet, respectable fellow." He worked part

Killed for "talking back" to a white officer! That was the fate meted out by one of LaGuardia's police thugs.

LaGuardia, District Attorney Dodge, the courts and the police must not be permitted to get away with these vicious attacks upon the workers of New York and the Negro people. Flood City Hall with

protests! Demand the release of the Harlem defendants! Demand an open investigation into police

murders and brutality in Harlem, into Jim-crow discrimination in re-

lated immediately I joined the demand an autopsy on the body of the

group. Only my Daily Worker card murdered Negro worker! Demand the dropping of the to investigate the economic and social

conditions in Harlem which led to last Tuesday's outbreak in the

group. The accident that one of the the arrest and prosecution of barred yesterday afternoon from

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#### Killed in Lynch Fashion

was reported to be addressing a

white, who on March 20, was fatally shot Lloyd Hobbs, 17, in the back, after the youth is supposed to have broken into the show window of an auto accessories shop at 2510 Seventh Avenue.

District Attorney William C. Dodge yesterday moved to obtain felony indictments for criminal anarchy against militant Negro and white workers arrested during last Tuesday's outbreak in Harlem against mass misery, Jim-crow relief and pestilential housing conditions.

Heretofore indictments had been sought against the Harlem defendants on charges of "inciting to riot," usually a misdemeanor, and for burglary in the third degree, on allegations of looting in connection with last Tuesday's events.

The police and the press now claim that the boy was not beaten. Addressing the Colored Interdenominational Ministers Conference Lino Rivero, produced by the police nomination of Greater New York and vicinity

as the boy in question, stated in an interview published in the N. Y. Mayor LaGuardia yesterday after-

Journal of March 20, that one of noon admitted the basic economic

the floorwalkers had said, "Let's causes of Tuesday's outbreak in

take him down the cellar and beat him out of him."

the blood of Communist and other

Rivero, under evident intimidation by the police, denied he was actually beaten. Witnesses of the housing for Harlem, but argued that

affair, including Anna Knauer, a white worker of 421 West 56th Street, reluctantly of the Federal Government

have told the Daily Worker that they saw floorwalkers and police

housing. He did not mention, however, that all housing projects sc

huddled up with fright in a back room of the Kress store. Mrs. directly or indirectly through loans

Knauer was one of the white and Negro women who protested the outrage. She was herself threatened by a policeman, and told "You are

not colored, so why the hell are you fighting for them?"

Quite clearly there was ample cause for concern over the treatment

of the boy. Certainly, it is

the public knowledge that Negro children have been brutally beaten before by white storekeepers and policemen. But the LaGuardia ad-

ministration, through its courts, ordinates prison sentences and fines for

workers who protest such brutality, and the wanton murder of Negro workers who "talk back" to La

Guardia's police thugs.

LaGuardia, District Attorney Dodge, the courts and the police must not be permitted to get away with these vicious attacks upon the

workers of New York and the Negro people. Flood City Hall with

protests! Demand the release of the Harlem defendants! Demand an open investigation into police

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Killings-1935

## White Southerner Gets 20 Years For Killing Negro Druggist in Holdup

WILMINGTON, N. C.—Refusing to differentiate between races in administering justice, Judge J. Paul Frizzelle of the New Hanover County Superior Court sentenced Francis Young Legare Jr., 21-year-old scion of a family long prominent in Charleston, S. C., to a term of from 20 to 25 years in the state's prison, following his conviction on January 18, of second degree murder in the slaying of C. W. Mason, local Negro druggist, in an attempted holdup on October 27, 1934.

Several witnesses had testified for the state that they heard Legare say, "I shot him," when he was chased and captured by a Negro bystander immediately after the shooting.

Charlotte, N. C. News  
January 8, 1935

### For the File.

Not that it is of any noticeable public concern, but it should be recorded for filing purposes, if for no other, that last year in Charlotte there were 43 homicides. This compares unfavorably with 1933's 38 killings (38 is the police statistician's figure; we made it 39 by including a Negro woman shot in fun, so to speak). It compares even more unfavorably with the 15 killings in 1932.

And if we are to continue this odious business of comparisons, let us get to the heart of it. For all of its millions, there are fewer murders in the city of London than in Charlotte. For all of its name for violence and gangsterism, there are fewer killings proportionately in Chicago than in Charlotte. Charlotte's rate of homicides per 100,000 population is four times as great as that for the rest of the nation.

Undeniably most of our killings are of Negroes by Negroes, which is no excuse for the frequency of them and no comfort whatsoever. Chicago might with equal appropriateness say that all of its killings are of gangsters by gang-

sters. The trouble is that one cannot be sure of their continued contentment with such intramural sport. They may begin to look for entertainment elsewhere.

### Another Double Standard

FREQUENTLY before in these columns attention has been called to the uneven course of justice as it touches Negro and white prisoners charged with identical crimes. North Carolina has just added another illustration of added significance in view of the apparent judicial sanction given to this legal differential.

A 21-year-old white youth, FRANCIS YOUNGE LEGARE, scion of an aristocratic Charleston, S. C., family, shot and killed Dr. CARLYLE W. MASON, popular and respected Wilmington, N. C. drug store proprietor, in what appeared to be a hold-up. LEGARE was apprehended, brought to trial on a "not guilty" plea and confronted for a day and a half with strong and incriminating evidence.

Abruptly, LEGARE through his attorney entered a plea of guilty to second degree murder, which was accepted by the solicitor prosecuting the youth. The matter of punishment rested with Judge J. PAUL

FRIZZELLE. Whether the term of 20 to 25 years imposed by the court meets the ends of justice in this case is a matter of personal opinion.

It is significant, however, that the reasons given by the prosecutor for his acceptance of the guilty plea conform to the prevailing double standard of Guilford county roads. If the man was well enough to be sent to the conviction in the first degree and added as other grounds the youth of LEGARE, the fact that he was away from home, and the fact that at the time he entered the drug store he was without funds.

To the lay mind, such circumstances strengthen a belief that the crime was deliberate and cold-blooded, and dispel even the slightest accumulation of sympathy and mercy. The testimony offered in extenuation, instead of making the second degree plea more easily acceptable, provides the missing facts upon which a first degree verdict might have been found.

Judge FRIZZELLE added that he did not consider LEGARE an ordinary murderer and that he did not believe the defendant would have been convicted of more than manslaughter had the case gone to the jury. The jurist was right; LEGARE was not an ordinary murderer; he was of the most dangerous anti-social type. And granting Judge FRIZZELLE's premise that a jury would have found no worse than manslaughter, it nevertheless does not give him license to impose any lesser punishment upon the prisoner when that duty became his than that

which the character of the crime justified.

By his deliberate and unprovoked killing, LEGARE made a grief stricken widow and left three little children without a father. No unequivocal concept of justice would suggest a punishment less severe than that which would have been meted out to a Negro had he committed the same crime upon a white man under the same circumstances.

RALEIGH, N. C.  
NEWS OBSERVER

WILMINGTON, N. C.  
STAR

MAR 4 1935

### Murder Case

In Guilford Superior Court on Sat-

urday one Negro was found guilty of killing another Negro and sentenced to a term in the State's Prison. There

was nothing unusual in that but it was unusual that the dead man lived 10 months and himself served a sentence on the county roads between

the time he was shot and the time he

died. The jury found, however, that he died 10 months later from infection in the pistol wound his assailant

with strong and incriminating evidence.

Certainly it is the jury's business to determine the facts. But from this distance it looks as if it might

have looked into the type of medical treatment which is provided on the county roads. If the man

was well enough to be sent to the county's care proper medical treatment could not have cured a wound which he survived so long. If he

was not well enough to be sent to the roads, then the system of justice that sent him there would seem to deserve a little attention, too.

Southern courts are perhaps too lenient as a general thing with Negroes who kill Negroes but in this case there seems to be less leniency toward the defendant than to those

agencies of society and justice which intervened or failed to intervene between a Negro shooting at a party and a Negro being sent to the State's Prison in the Superior Court.

Two Winston-Salem negroes have been sentenced to die in the lethal gas chamber at Ra-

leigh for the holdup murder of another negro

was nothing unusual in that but it was unusual that the dead man lived 10 months and himself served a sentence on the county roads between

the time he was shot and the time he

was unusual that the dead man lived 10 months and himself served a sentence on the county roads between

the time he was shot and the time he

was well enough to be sent to the roads, it seems strange that in the county's care proper medical treatment could not have cured a wound which he survived so long. If he

was not well enough to be sent to the roads, then the system of justice that sent him there would seem to deserve a little attention, too.

But the gangster took advantage of that. He soon went outside the underworld. He intimidated witnesses; he assassinated public officials, and in several instances even

murdered innocent children who stood between him and his prospective victim. In the end, it was necessary for the federal government to rise and crush this product of the post-war days.

So in North Carolina where there are only white courts, white prosecutors and in most instances white juries. Murder is the most annoying crime in the state and the most frequent. It is incumbent on juries where an all-negro murder is concerned that they give the same consideration as they would were race issues not involved. By so doing, they will teach the negro killer and potential killer a deeper respect for orderliness.

August 31, 1935

***Routine Murder Trials.***

Within less than thirty hours this week three Negroes, in three separate cases, were tried in Mecklenburg superior court while their lives hung in the balance. Rhetorically speaking, that is. While all three faced charges of murder in the first degree, their lives weren't actually hanging in the balance. The persons they were charged with having slain were, it developed, also Negroes. And that makes a vast difference.

One of the three defendants, a Negress, went free after a jury declared her not guilty. By the jury route the two Negro men were convicted of (as if you hadn't already guessed) second degree murder. As a result they will serve prison terms of moderate length for having taken human life. True, they slew but members of their own race, and not whites.

Perhaps thirty hours, with a night's recess thrown in, were ample for presentation of the evidence for the state and the defendants. Yet—suppose that the Negroes had been charged with slaying whites, or, again, that the alleged killers and victims both had been white? (We shall not be unkind enough to ask you to suppose that one of the defendants was a white and his victim a Negro.) Everyone knows the answers; they're in the back of the book.

Mecklenburg superior court actually consumed more than a day during the same week deciding the fate of a slot machine! At the same time two other Negroes were are now, in fact, languishing in jail awaiting trial on charges of having murdered two members of their own race. Their lives too are, technically, at stake.

Killings-1935

Oklahoma

# WHITE MAN RELEASED WHO KILLED NEGRO BLACKSMITH

## Negro Kills Texas Farmer, Sheriff Tells 'Hog' Story

EYE WITNESSES SAY ALLEN GUILTY OF COLD  
BLOODED MURDER; NEW PROBE STARTS

### Woman Declared Money Missing From Dead Man's Body

"It was cold-blooded murder. I looked at it with my own eyes," declared Joe Gentry, 700 North Nebraska, Wednesday when he came to the Black Dispatch office and told of the killing of Fred McCullum, 59-year-old Negro blacksmith, Saturday afternoon by Vernie Allen, 38, white garage mechanic. The slain farmer was Edgar Womack, about 50, living near Apple Springs, a community 17 miles northwest of Lufkin. It was on his farm the shooting occurred Thursday night. Deputy Sheriff C. C. Thorn was wounded, but not seriously.

**Said "Get Some Beer"** **How The Row Started**  
"I was coming up Kate going north when I heard some one say 'Cut that noise out and quit squabbling.' I looked in the garage and it was 'Whitty' the peg-leg fellow who made that statement. Whitty then said, 'cut it out and take that quarter and get me some beer; he tried to hand the money to McCullum."

**Struck With Wrench**  
"Before he could hand the money to McCullum, Vernie Allen rushed up and said, 'Wait a minute, I'll fix that G— D— black S—'."

**Spun Around Like Top**  
"It looked like a pipe wrench to me that he struck McCullum with, and when he struck him full in the forehead above the eyes, McCullum just kinder gave away but walked about ten feet, then slowly sank to his knees; then he toppled to his all fours and slowly sagged to the ground," said Gentry.

**Release Murderer**  
Although county officials have been investigating this dastardly crime which happened about 4:30 Saturday, and Allen apprehended, the man was released following an investigation launched by acting coroner Joseph E. Deupree. Allen was jailed Monday but was at liberty Tuesday.

**Second Investigation**  
Assistant County Attorney John Eberle started an additional probe of the facts following a visit to his office Wednesday, by Editor Roscoe Dunjee, who took with him three witnesses who gave eye-witness testimony as to what actually happened.

It appears that the investigation up to the time that Editor Dunjee took the witnesses to the county attorney's office, had shown that McCullum had met his death from

Just how Womack and Thorn permitted Lacy to be carrying both the hog and the rifle without protest, since they were both armed, has not been explained. It seems unreasonable to believe that any such set of circumstances actually occurred. Those in the

Mrs. Suggs also states that two persons who were with McCullum different happened down on the Womack farm. "White folks shoot armed Negroes down in this section," declared one Negro farmer. No one believes that Lacy was allowed to carry a rifle and a hog at the same time; at least this was not permitted by two armed white bullies.

Deputy Sheriff C. C. Thorn was wounded, but not seriously.

Killings-1935

Oregon.

# *Negro, Saved from Death, Tortured in Bull Pen*

*1-21-35 New York.*

SALEM, Ore., Sept. 20.—Theodore Jordan, young Negro saved from the Oregon hangman by the nation-wide protest ed by the International Labor Defense after the authorities made a desperate effort to hang him for a murder he did not commit, is in the "bull pen" at the Oregon State Peni-  
tentiary, charged by prison officials with violating prison regulations, and denied visits even from his mother or his attorney.

"Even his own mother couldn't see him now," a prison guard sadistically told a committee inquiring about the sudden and sinister disappearance of the victim, whose death sentences was commuted to life imprisonment.

The "bull pen" punishment is for indefinite time, and "depends largely on his conduct," Warden J. W. Lewis explained in a letter to Irvin Goodman, I. L. D. attorney. A form—intensely vicious—of solitary confinement, the Oregon "bull pen" demonstrates the resourcefulness of prison sadists at engineering cruelty. Small, cement cells, 4 feet by 8 feet long, and 7 feet high, without beds or bedding, are exposed to weather on one side. No sewage system is provided—only open buckets. A cement slab is the only bed—and when two victims are placed in one cell, one of them sleeps on the floor which becomes a pool of water in rainy weather.

Prisoners have been known to have spent two years in these pens—they have been known to die in them from exposure and under-nourishment. Food provided is only sufficient to sustain life, and only brief periods of exercising in the "bull ring" are permitted.

The International Labor Defense asks that organizations and individuals rush protests against Jordan's treatment, sending resolutions and letters to Warden J. W. Lewis, Oregon State Penitentiary, and that protests include a demand for the discontinuing of the "bull pens," which are not only an instrument of cruelty, but a direct violation of Oregon law which prohibits "cruel and inhuman punishment" by prison officials (Section 67-1901. Oregon Law).

Killings-1935

## Nineteen Killings and Suicides in Philly Last Week

Baltimore, Md.

PHILADELPHIA. — Nineteen persons died here of either sudden or violent deaths last week, as revealed by a check-up at the coroner's office. Of that number three were victims of murder and two suicides.

They were:

Pussey Purnell, 48, 2130 Naudaine Street; Joseph Wayland, 52, 2239 Woodstock Street; Dorothy Braust, 23, 1926 Judson Street; Sophius Jackson, 34, 845 N. 10th Street; Frank Morris, 56, 1304 Bainbridge Street; Robert Coles, 49, 1328 W. Girard Avenue; Verlon Bass, 40, 400 S. Twelfth Street; Wilbur Mesion, 4 days, 2241 Reed Street;

Thomas Williams, 38, 2439 Berks Street; Cora Jackson, 15, 2001 Nicholas Street; William Halcong, Pa.; Bernice Noone, 21, 765 N. Forty-seventh Street; Tilghman Gee, 30, 853 N. Forty-eighth Street; Ethery Holstein, 4 days, 709 N. Eighth Street; Vernon Bird, 30, 1704 South Street; Baby Small, 6 hours, 105 W. Duva Street; Arthur, 53, 805 Parrish Street and George Brown, 26, 1617 N. Tenth Street.

Pennsylvania

South Carolina.

Killings-1935

## Highway Cop Killed, Arrest Thirty In S. C.

Greenville

GREENVILLE, S. C., Jan. 3 — (By ANP)—Christmas night State Highway Patrolman E. D. Milam was killed in a scuffle at a colored church near here. It was reported that he had gone to the church after reports of a disturbance at a party in progress there.

After the shooting of the white officer, 30 persons, practically all those who were at the party, were placed in jail. The efforts of Governor Johnston are never mentioned in the police to track down the killer. Northern "liberal press", a press which tries

Thursday two men, Cornell Luster and Clarence Dill, were arrested in Asheville, N. C., in connection with the crime. It was claimed that Luster confessed that he and the white officer had scuffled over a pistol and that the patrolman had been shot. Luster implicated Hill. Both men were taken to the State penitentiary to dodge a mob.

### TWO NEGROES GUILTY OF SLAYING OFICER

GREENVILLE, S. C., Jan. 23. (UP)—Cornell Luster and Harry Hill, negroes, were found guilty late today on charge of murdering a state highway patrolman, E. D. Milam.

The jury deliberated for an hour before returning its verdict of guilt, which carries a penalty of death in the electric chair. Sentence was deferred until motions for a new trial are heard Friday.

The negroes were accused of shooting and beating Milam to death when he attempted to quell a disturbance at a Christmas tree party near here on Christmas Day.

### CHARLESTON, S. C. NEWS AND COURIER

NOV 9 1935

"First Rate Piece of Work"

A negro twenty-five years old confessed to the murder of a negro girl, was tried and condemned to die, in Columbia. He was undoubtedly guilty. The judge and the prosecuting officer recommended that the sentence be commuted. Governor Johnston, who has been sparing in the exercise of executive clemency, went to the prison and saw the negro.

In the shadow of death the man did not even ask for clemency. "He is of a low or-

Killings-1935  
6

Tennessee.

Nashville, Tenn. Tennessean--Mng  
November 6, 1935

## NEGROES CONFESS MATLOCK MURDER

Each Charges Other With  
Actual Slaying of  
Aged Man.

NOV 14 1935  
LIFE FOR KILLING NEGRO

Two negroes of Fayetteville were in Davidson County jail, guarded against possible mob violence to- day after they told the same story of the murder of a white man of Lincoln County, each claiming that the other actually committed the killing.

The negroes, Anderson Berry, 25, and Jim Smith, 27, told identical stories of the slaying of Hugh Matlock, 65, marble worker, last Thurs- day afternoon, each accusing the other of beating the victim into insensibility with a rock, cutting his throat and concealing his body under some honeysuckle vines in a ditch near the Nashville, Chattanooga & St. Louis Railway tracks.

**Robbery Was Motive.**  
Both negroes admitted that robbery was their motive. According to Sheriff John A. Pool of Lincoln County, they said they expected to get \$1,200 or \$1,500. However they said they found nothing in their victim's pockets.

They met Matlock at the railroad tracks two miles from Fayetteville about 4:30 o'clock Thursday afternoon, when Matlock was walking home from work.

Here each negro said the other told Matlock to look at the geese lying overhead. He looked up and said, "Why boys, I can't see any geese. Your eyesight is better than mine."

**Body Concealed in Ditch.**  
When he looked down one negroan adjoining room, was first beaten and then shot had a pistol in his hand and or-to death, and three bullets were fired into the hus- dered Matlock to drop the "damband. His condition is serious. The white hood- stick" he was carrying. The negro then hit his victim over the headums then robbed the negroes of \$25.

Two negro youths found his body at 3 o'clock the next after- noon.

Berry and Smith were first ar- rested Saturday, released, and ar- rested again Sunday. They waived the same day they were tried, convicted and sen- tenced again Sunday. And before there was an opportunity for a Lincoln County magistrate to fore a Lincoln County magistrate and were bound over to circuit court, which will meet in Fayette- ville in February.

They were brought here last

night by Deputy Sheriff Gordon Hardin and L. H. Campbell, Fay- etteville chief of police. Mr. Har- din said, "We did not fear any mob, but feeling was running high through the county and we thought it best to bring them here."

He said both negroes have served numerous sentences in the Lincoln County jail for petit larceny.

New York World Telegram

speedy and certain manner in which a crime against an aged negro couple was dealt with.

Three white men entered the rural home of Red and Jennie Hawkins, each 80 years old, Monday night, to rob them. When the husband sought to repulse them he was struck on the head with a blunt weapon. His wife, coming to his rescue from an adjoining room, was first beaten and then shot to death, and three bullets were fired into the husband.

**Three White Men Caught and Sen- tenced Within Twenty-four Hours.**

*By the Associated Press.*

COLUMBIA, Tenn., Nov. 13.—Pleading guilty to charges of murder band. His condition is serious. The white hood

80-year-old Negro woman, three

white men were sentenced to life imprisonment less than twenty-four hours after their arrest.

The trio, Albert Earl Fleming, George Skillern and Hobart Grimes, were arrested Tuesday night. Saying their motive was robbery, pressed legally.

Other stories of the slaying of Hugh Matlock, 65, marble worker, last Thurs- day afternoon, each accusing the other of beating the victim into insensibility with a rock, cutting his throat and concealing his body under some honeysuckle vines in a ditch near the Nashville, Chattanooga & St. Louis Railway tracks.

**District Attorney General C. L. Boyd** related that the men fatally shot Jennie Hawkins Monday night after entering her home. They took a \$20 bill and a \$5 gold piece from the house.

Thus an atrocious and unprovoked crime has been avenged and possible mob action with its disgrace to state and county has been averted simply because the enforcement officials and court acted with vigor and dispatch.

**THREE WHITE MEN GET LIFE  
FOR KILLING COLORED  
WOMAN**

*By the Associated Press.*

NASHVILLE, Tenn. (AP)—

Maury County is to be congratulated upon the speedy and certain manner in which a crime against an aged negro couple was dealt with.

Three white men entered the rural home of Red and Jennie Hawkins, each 80 years old, Monday night, to rob them.

When the husband sought to repulse them he was struck on the head with a blunt weapon. His wife, coming to his rescue from the ditch and covered with some honeysuckle vines.

The good reputation of the negro couple, their

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Tennessee

Killings-1935

## NEGRO LEADERS BAND TO REDUCE KILLINGS

Group Given Plan by Davis  
and Homicide Chief

EDUCATION CALLED NEED

Loan Shop and Bookstore Reg-  
ulations Urged as Curb to  
Young Offenders—Sermons  
Outlined

After voting to support Commis-  
sioner Davis' educational plan to  
reduce the negro homicide rate here  
in 1935, 63 negro educators, minis-  
ters and business men suggested  
that police clean up negro dives

and place rigid restrictions on  
pawn shops and second-hand book  
stores.

Called by Commissioner Davis to  
meet yesterday in city courtroom,  
the negro leaders elected Rev. T. O.  
Fuller chairman of a homicide com-  
mittee and M. E. Brown, secretary.

Commissioner Davis outlined his  
program to provide the teaching of  
negroes in their homes, schools and  
churches, to respect the law and to  
aid in apprehending criminals.  
Suggestion for sermons on "Thou  
Shall Not Kill," was approved.

1934 Total Was 79

Capt. Frank Glisson, homicide  
chief, revealed that 79 negroes were  
slain last year.

Another meeting on March 9 was  
called.

"We are intensely interested in  
cutting the negro homicide rate,"  
Rev. Fuller said. "This group has a  
great responsibility. The reports  
by Commissioner Davis and Cap-  
tain Glisson are startling revela-  
tions, but we face a handicap in  
eliminating to a large extent the  
homicides. Teaching our children  
how to live lawful lives gets at the  
bottom of the condition."

He pointed out that crime among  
the negroes has been increased by  
economic needs and that congested  
housing conditions are in reality  
"schools of crime."

Only Three on Beale

"Lack of enforcement of truancy  
laws is giving many time to get into  
mischief," he said. "We do not have

sufficient officers to enforce the  
law. As a result many negro youths  
are truants when they should be in  
schools.

"Police should have more rigid  
regulations on pawn shops and sec-  
ond-hand book stores. These places  
provide a place for disposing of  
stolen goods. A negro child can  
steal a book and sell it without  
trouble. More rigid enforcement  
would prevent the sale of firearms."

Commissioner Davis said that a  
new regulation on the selling of  
second-hand books is being pre-  
pared.

Commissioner Davis pointed out  
that negro homicides are scattered  
over the city. Only one homicide  
occurred in Orange Mound, where  
many negroes are buying homes.  
Three took place on Beale Avenue.

NASHVILLE, TENN.

BANNER

MAR 7 1935  
State Press

There were 78 Negro homicides  
in Memphis last year—57 men and  
21 women.

A group of Negro preachers and teach-  
ers has promised Police Commissioner  
Davis to form an organization to com-  
bat crime among the Negroes.

It is a worthwhile undertaking but  
to be successful it must have the co-  
operation of the white people of Mem-  
phis.

In the past there has been a dispo-  
sition not to pay much attention to  
homicides that involved only Negroes.  
This has extended to some extent even-  
tually with Dyer County officers be-  
cause they have not crossed the  
color line—Memphis Press-Sentinel.

It is dangerous apathy.

Negroes are entitled to protection.

They cannot have it when members  
of their race can kill and get away with  
it because they have not crossed the  
color line—Memphis Press-Sentinel.

INDICTED FOR MURDER

Four Negroes Accused of Death of  
Farmer

SOMERVILLE, Tenn., March 28

The Fayette County grand jury  
returned indictments against four  
negroes held in connection with the  
fatal shooting on Dec. 25 of New-  
frey Graham, Somerville farmer.

Atty. Gen. George Watkins said to-

day.

Buddy Harris, Graham's house-

boy; Tom McGowan, a tenant on

the Graham farm; and Albert Polk

of Hardeman County were indicted

on murder counts.

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# YOUNG EXONERATED FOR SLAYING NEGRO Reprimanded by Judge for Leaving Victim to Die

## WHITE JURY ASKED Negro Doesn't Want 'A Black Nigger' in Box.

CLEVELAND, Tenn., June 20.—(AP)—Ab Mack, negro on trial for murder here, today, told Judge John J. Blair "I'd rather be tried by white folks than by a black nigger," when his attorneys entered a plea in abatement on the grounds that the grand jury contained no negroes.

LAKE VILLAGE. March 11.—Judge Blair informed the defendant that he would be tried by a white jury, overruling the plea, which was based on the grounds of the United States supreme court rulings in the Wash. Spencer, negro.

Young killed Spencer in a dispute over some logs in the Mississippi River, which the negro was rafting, but which Young claimed.

The state showed that Young borrowed a shotgun from a friend and rode down the river in a boat to see Spencer. While Young was still in the boat he shot and fatally injured.

Judge Patrick Henry reprimanded Young for leaving the negro without giving him aid after the shooting. Young claimed he shot most serious outburst of shooting in self-defense, although no gun was and cutting scrapes among negroes.

Trial of T. R. Jacobs, McGehee attorney, charged with embezzlement, scheduled to be heard Tuesday, was continued.

**ACUSE NEGROES IN DEATH**  
Four Will Face Trial at Somerville  
in Farmer's Slaying

SOMERVILLE, Tenn., March 12. —Four negroes are scheduled to face trial on murder charges growing out of the slaying of Newfrey Graham, 28-year-old farmer, when circuit court convened here March 25. 3-13-35

The defendants are Albert Polk, Tom McGowan and Buddy Harris, charged with the actual slaying, and Alice Coach, an alleged accessory. They are alleged to have waylaid and shot Graham near Somerville Dec. 25.

**Negro Prefers Trial By  
Jury Of 'White Folks'**  
Ex-Convict Tells of Firing

CLEVELAND, TENN., June 20.—(AP)—Ab Mack, negro on trial for murder here today, told Judge John J. Blair "I'd rather be tried by white folks than by a black nigger," when his attorneys entered a plea in abatement on the grounds that the Grand Jury contained no negroes.

Judge Blair informed the defendant that he would be tried by a white jury, overruling the plea, which was based on the grounds of the United States supreme court rulings in the Scottsboro, Ala., case.

However, there was no trial as the negro subsequently submitted to a charge of second degree murder and was given a ten-year sentence.

ard Thomas Sheehan, 27-year-old ex-grid star.

Clark was arrested 11 hours after Sheehan died at Methodist Hospital from a bullet wound inflicted when he surprised Clark robbing his home, 1605 Waverly, at 4 o'clock Wednesday morning.

"I was scared. I thought he meant to hurt me," the negro told Inspector Griffin.

### Arrested Yesterday

He confessed five hours after his arrest. He was arrested at his home, 977 Woodlawn, at 8:45 o'clock yesterday morning. Credit for Clark's arrest is being officially given to Patrolmen Charles Peek and Johnny Gannon. They obtained the first information linking Clark with the crime.

The negro detailed how Sheehan crept from his bed to a kitchen door in the home. As he started towards him, the negro fired and ran. Clark described a half dozen or more house robberies and confessed to stealing four automobiles since June.

When first arrested the negro denied all knowledge of the Sheehan murder. He said he spent Tuesday night at his home. From Ed Robinson, negro, and his wife, Mildred

Robinson, Inspector Griffin learned that Clark left the Woodlawn address at 10 o'clock Tuesday night, taking with him a pistol wrapped in newspaper.

From another negro, L. C. Smith, 28, 748 Ropers' Alley, who was taken into custody shortly before Clark was arrested, Inspector Griffin learned that Clark went to Smith's home at 1 o'clock Wednesday morning and had in his possession a small automobile.

**Confesses Slaying**  
Confronted by the Robinson negroes and Smith, the suspect con-

fessed. "You got me, I may as well tell the truth," he is quoted as saying.

Clark told of stealing an automobile late Tuesday night from in front of 1294 Lapaloma. He used that to drive to the Sheehan home. The car was found abandoned at 11 o'clock Wednesday in front of 703 Bethel, a short distance from Clark's home. He told of stealing another car on Peabody, and two others on Beale which police later found abandoned. Smith was arrested at 7 o'clock yesterday morning by Peek and Gannon. Smith quickly told the officers that Clark was the negro they wanted.

Reinforcing their squad with Patrolmen W. E. Rawford and L. W. Shapley, the officers went to Clark's home and found him hiding under a cot. Searching the home the officers found several watches, two guns, small articles of jewelry, ladies' purses, toilet articles and a large quantity of wearing apparel, all of which he said he took from homes which he robbed.

One of the watches was identi-

fied by F. B. Parrish as having been stolen from his room at 933 Peabody on the night of Aug. 4. Mrs. Parrish caused the disparity. All of the Max Severs, at whose home Parrish principals were negroes and all

resides, said her home was entered three defendants pleaded guilty through a bedroom window.

Oscar Phillips shot and killed Caledonia Moore on Feb. 4, 1934, his bullets accidentally killing a bystander, Gilbert Wilson. The jury held there were mitigating circumstances.

But Woodrow Davis, alias Southpaw, and Earl Bearden, alias Coot-

"I am convinced that the Smithers, had little provocation when they negro was not with Lark when he shot down Herman Strong, 16-year-old young Sheehan. Four witnesses old grocery boy last May 25. Robbed saw only one man flee the home after the robbery was the motive, although they after the shooting, and saw only one did not get a cent. They drew life mamm enter the automobile which terms.

was parked a short distance from Pete Clisaris, Little Rock gangster and paroled convict, pleaded not guilty to a charge of robbing the Sheehan home," Inspector Griffin said.

Smith will be held pending investigation into the series of recent house robberies.

Police records show that Lark Robert Johnson, larceny, six served part of a three-year sentence in the state penitentiary for larceny, nine months in the work-larceny. After his release he re-house; Sam Johnson and Herman turned to Memphis and on Sept. 22, Bunton, housebreaking, five years 1934, he shot and slightly wounded in the workhouse; Manuel Law-L. K. Liggins, negro. The shooting, robbery, five years in the followed an argument over a craps workhouse; George Hill and Doug-game at East Crematory. He was last Prowell, housebreaking, three sentenced to serve 11 months and years in the state training and agricultural school.

intent to kill.

Clark escaped from the Shelby County workhouse on June 1, this year. Since he has been hiding in various sections of the city. He has used alias names of James Foster, James Johnson, and "Pepperhead," police said. Smith is known as "Railhead."

Murder charges will be placed against Clark today.

Requiem mass will be said for Mr. Sheehan at 9:30 o'clock this morning at Immaculate Conception Church. Burial will be in Calvary Cemetery with Spencer-Sturla in

### Negro Is Convicted.

KNOXVILLE, Tenn., Sept. 26.—(AP)—A Knox county criminal court jury composed of 11 white men and one negro today convicted Lamer Barrett, negro, of first-degree murder in the slaying of W. M. Hardwick, negro grocer, and fixed his punishment at death in the electric chair.

Memphis, Tenn., Criminal Appeal  
September 25, 1935

## THREE NEGROES GIVEN TERMS FOR SLAYINGS

Trio Plead Guilty to Charges  
in Criminal Court

One slayer who killed two persons was sentenced to 20 years in criminal court Monday while two who killed one person were given life imprisonment.

Circumstances of the slaying caused the disparity. All of the Max Severs, at whose home Parrish principals were negroes and all

Texas.

Killings-1935  
(See <sup>8</sup> Turies)

# TEXAS COURT PULLS BRAND NEW TRICK

~~Defender~~ 8-35

WICHITA FALLS, Tex., (CNA)  
May 17—Attorneys for Luke Creear, accused of murder, are seeking to quash the indictment on grounds of violation of the 14th amendment.

Creear, a restaurant keeper, was indicted for the murder of his wife by a grand jury composed exclusively of white men.

In an effort to defeat the move of the defense, the prosecution haled Creear into court and went through the solemn farce of making him prove his African descent. Ordinarily, when a Negro is accused of any offense in Texas, his African descent and strict punishment are taken for granted.

Although the Race constitutes at least 10 per cent of the city's population, it is rarely summoned for jury service.

There is but one school, located in the slum district, for all the Race children. Thus, in a city which boasts of its civic progress, several hundred pupils must walk from one to three miles in order to receive instruction.

## Negro Executed.

HUNTSVILLE, Tex., Aug. 14.—(P)—John Grappo, 14, was executed early today for slaying J. V. Haywood, who fought with other officers to arrest the killer in connection with the slaying last February of the negro's wife.

## Dixie Justice

~~Negro American~~  
FORT WORTH, Texas (CNA)—The ease with which officers hunt down their prey, and on any excuse, is seen in a letter which Chief of Police A. B. McKenzie, white, of Mexia, recently sent to the police chief of Oklahoma City, in which he assured him of hearty co-operation in helping to hunt "suspects."

"We want to assure you we are doing all we can to get that 'n—' for you all. The sheriff's bunch killed a 'n—', here the other day, expecting it to be him, but it was the wrong 'n—,'" McKenzie wrote.

"He ran when they went up to the house and some of the boys stopped him and stopped him too much, so we want to assure you we are doing all we can to get him for you all."

## TEXAS COURT USES NOVELTY TO AVOID SCOTTSBORO DECISION

Judge Says Negro Must Prove his "African Descent"  
When Jury Question Is Raised

~~Census Bureau Agency  
3082 West 141st Street~~

WICHITA FALLS, Texas - (CNA) - Attorneys for Luke Creear, accused of murder, are seeking to quash the indictment on the grounds of violation of the Fourteenth Amendment.

~~newspaper, May 11-35~~  
Creear, a restaurant keeper, was indicted for the murder of his wife by a grand jury composed exclusively of white men.

## — Must Prove African Descent —

In an effort to defeat the move of the defense, the prosecution haled Creear into court and went through the solemn farce of making him prove his African descent. Ordinarily, when a Negro is accused of any offense in Texas, his African descent and strict punishment are taken for granted.

## — Excluded From Jury Duty —

Although Negroes constitute at least ten per cent of the city's population, they are rarely summoned for jury service.

Killings-1935.

**NORFOLK, VA.  
LEDGER DISPATCH**

Virginia.  
6

Sept 23 1935

**Killings in Virginia**

Dr. W. A. Plecker, State Registrar of Vital Statistics, reports that Virginia is playing its full part in entitling the United States to the proud distinction of being the most lawless of all the so-called civilized nations. Dr. Plecker does not reach that conclusion; but he reports, among the facts, that in 1934 there were in Virginia 408 homicides and not one execution! In comparison with this condition, it may be considered to the high glory of Virginia that there was also not one lynching. It is fair to say, too, that two of the 1934 murderers were executed in 1935—Mais and Legenza.

But it should be noted, on the other hand, that both Mais and Legenza were non-resident killers: not a single one of Virginia's own murderers who killed for money, for love, or just socially, was condemned to death by an untrified jury

Of course we are the most lawless nation: it would be miraculous if we were not.

**Tennessee's Homicide Rate.**

Tennessee has capital punishment, and of these 408 killers, 253 were Negroes and it is true that white jurors do a disservice to Negroes by treating more or less lightly all their crimes of violence—a fact which entirely to Tennessee, the remainder of the Virginia Journal and Guide, for example.

If we leave the Negro killers out of consideration, we have 155 white killers in Virginia in 1934—and not an execution! Here is another and striking illustration of the same old story: Virginia joins with the other states to form the most lawless nation because Virginia joins with other states in throwing a barrier about murderers and other criminals to protect them from their just deserts at the hands of society. Play-acting lawyers plead with juries to have mercy on the family of the killer, and the juries forget the cruel wrong done the family of the murdered man by the killer.

Virginia's population is about 2,500,000. Among that population, there were in the last year 408 killings. The population of metropolitan London is about 8,000,000. Among that population, in 1933 there were

only 21 murders of persons more than one year old. Why? The reason is found in the record. Of the murderers, 11 committed suicide; of the other ten, six were found guilty—and executed—three were adjudged insane, and one was acquitted.

The British have a quaint, old-fashioned idea that swift and severe punishment is the best deterrent to crime. Our practice, whether it is our theory or not, is to say to ourselves something like this: "Well, this poor murderer is rather mischievous while he'll be paroled."

Of course we are the most lawless nation: it would be miraculous if we were not.

September 19, 1935

was at least one killing each in 77 of the 95 counties, seems to indicate not only that capital punishment does not have a deterrent effect but that Tennessee has a crime problem which demands attention from those in authority

**RICHMOND, VA.  
TIMES DISPATCH**

NOV 22 1935

**Taking Life for Crime**

**JUDGE EDWARD MEEKS** had no alternative but to impose the death penalty upon JOHN DAUGHTERY for his brutal murder of STATE OFFICER W. R. THOMPSON in the holdup of the Fork Union Bank in September.

We are sure that the people of Virginia will agree with the court's statement before imposing sentence: "You shot that brave officer in cold blood. There was not a scratch on you—you had opportunity to flee from the bank by the side door—but you shot him down and then pumped two more bullets in his back as he lay bleeding on the sidewalk. And if a crime like that doesn't deserve capital punishment, then I don't know what crime does."

Virginia law being what it is, JUDGE MEEKS long has been recognized by such thoughtful leaders of the Negroes as the Norfolk Journal and Guide, for example. 95 counties escaped 1934 without a homicide. That Tennessee has a large Negro population accounts in part for the high homicide rate, the Negro rate being 75.3 per 100,000 while the white rate was 11.2. The total rate of 22.7 was moved, serious crimes would increase rapidly. But the homicide figures in States which do not have capital punishment are much better, on the whole, than in those which do have capital punishment.

Eight of the 48 States have laws which fix the maximum penalty as the maximum penalty for any crime, however heinous. These are

Kansas, Maine, Michigan, Minnesota, North Dakota, Rhode Island, South Dakota and

Wisconsin. The highest homicide rate in

any of them for the year 1933, the latest

highest even of cities in Tennessee, Chattanooga for which complete figures are available, is

led in homicides last year with a rate of 43.7, the rate in Kansas, which is 8.0, while the

closely followed by Nashville with 40.7. Memphis

others range between Wisconsin's 1.1 and

Michigan's 3.3 per 100,000.

The lowest murder rate in any Southern

State for the same year was that for South

Carolina, 8.0, which is precisely the highest

rate among the eight States which do not

The report of the State Health Department

have capital punishment. The other Southern States all have much higher rates than South Carolina, ranging upward to Alabama's 34.5. Virginia's 1933 rate was 16.3.

It will doubtless be argued that the large Negro population is chiefly responsible for the high incidence of murder in Dixie. That is certainly an important factor in the situation, but on the other hand, the white homicide rate in the South is considerably higher than it is in the rest of the country.

Even if we leave the South entirely out of account, it becomes apparent that the eight States without capital punishment (none of which is in the South), have much lower murder rates than the other non-Southern States. The average for the eight States without capital punishment is 2.7 per 100,000, while that for the 28 with capital punishment is 5.9.

It cannot be argued that the States without capital punishment are largely rural, for Rhode Island, the most thickly populated State in America, is on the list, and its murder rate is 1.7. And even if all eight were rural, that would not necessarily mean anything, since Nevada has a rate of 19.9 and Arizona has one of 19.8.

The inescapable conclusion, then, is that capital punishment is not a deterrent to crime. Equally inescapable, we think, is the conclusion that capital punishment ought therefore to be abolished. The only excuse for it in the first place was that it was presumed to reduce the number of homicides. Since it clearly does not reduce them Virginia should follow the example of more enlightened Commonwealths and provide that life imprisonment shall be the maximum penalty imposed in any of her courts. In most cases those who go to the electric chair in Virginia are guilty, but in rare cases the lives of innocent men are taken.

Let's abolish this ancient barbarity, the putting to death of human beings for crime, and confine our worst criminals for the duration of their lives. Then if after-discovered evidence demonstrates the innocence of any of them, he can be set free, and the State will not have on its head the blood of an innocent man.

Killings-1935

Virginia

## Virginia Farmer Negroe's Trial And Wife Slain Crowds Town

Advertiser

FREDERICKSBURG, VA., April 3-

State police tonight threw a guard over highways to the South in an effort to apprehend two unidentified negroes who are suspected by ~~murdering~~ <sup>35</sup> Mr. and Mrs. John Thomas Coleman and ~~es-~~ Joe Jackson, 27, Negroes, went on caping in the dead man's automobile. The bodies of the aged man and his ~~murdering~~ <sup>35</sup> wife were found in a well on their Thomas Coleman and his wife. An Spotsylvania County farm today by officers called to the home by ~~Pat~~ Braxton, ~~was made as they were being taken~~ negro hired man. Both of them had been shot and clubbed and the farmhouse had been ransacked, indicating robbery as a motive for the crime.

Shortly afterward police learned that two negroes were seen in the dead man's automobile last night at a filling station at Thronburg, to the South of the farm, ~~estival~~, with hot dog stands, soft- and departed so hurriedly after a mak-drink dispensers and saloons doing a purchase that they left change a flourishing business. Parked auto-

Capt. H. B. Nicholas, of the State police, asked the cooperation of North Carolina authorities in apprehending the ~~murderer~~ <sup>35</sup> Judge Frederick W. Coleman, a relative of the murdered couple. Selected negroes continued South rather than pass by the farm.

County and city police are checking up on several negroes. Coleman was Philip Jones, negro, died in the electric chair at the Virginia state penitentiary this morning after the ~~murder~~ project near the farm was suspended. ~~murder~~ <sup>35</sup> ~~November~~

## 2 Negroes To Die JURY DISAGREES For Double Murder

Advertiser

## ON VERDICT IN WINSLOW CASE

### Four Negroes Called One Used On

3-15-35  
Trial Jury

RICHMOND—After more than two hours of deliberation a jury in Judge John Ingram's division of Hustings Court failed to return a verdict in the case of Harvey Winslow on trial for the murder of Willie Daniels January 29.

The two brothers called in vain for help from the nearby crowd of approximately 700.

Judge Frederick W. Coleman sentenced them to die on June 21.

The negroes admitted that the robbery of Mr. and Mrs. John T. Coleman had that no verdict could be agreed upon April 2 but each blamed the other for the slayings.



The trial of with Daniels but denied that she <sup>35</sup> Mr. Guy announced his withdrawal from the case on April 1 Winslow, who lived with him. was indicted with It was through the Fields girl's after completing an appeal to the two other Rich-testimony, "I heard one of the Virgin Supreme Court of Apmond youths, Ha-Dandridge boys say give him the peals. The appeal, as noted by zelwood and Al-works and several shots were Mr. Guy, contains seventeen ex- len Dandridge fired," that the state attempted to ~~re~~ ceptions to the rulings of the court brothers, attrac-prove a conspiracy among the co- at Johnson's trial on January 21. wide atten-defendants to get Daniels, but 22 last. In announcing his withdrawal because of Atty. Hopkins so impeached the drawal from the case Mr. Guy said the notorious woman that the State's case was he believed he had performed the popularity of the greatly weakened.

Two other women, Mary Poin court in perfecting the appeal. characters invol- dexter and Beatrice Robinson, who It is expected that the main chamber was were in the kitchen at the time of point on which a writ of error will crowded to its ca-the shooting, were placed on the be sought will be based upon the pacity.

stand by the state but were able court's failure to instruct the jury to add nothing to known facts that an officer has no right to

arrest a person accused of a crime

Only the brilliant defense pleads in the case. <sup>35</sup> Defense Witnesses without a warrant, when the alleg- of Atty. J. Byron Hopkins, chief defense counsel, and Atty. Theo- Winslow took the stand and tes- ed crime is not committed in the dore L. Taylor, of Petersburg, who testified in his own behalf. He ably presence of the officer The assisted Atty. Hopkins, marked the withstood the cross examination of Court of Appeals may take the dramatic points of the case which State's Attorney Haddon. Hazel-case under consideration at any throughout presented many com- wood Dandridge, Mrs. Annie time within its six-month term, it plications and exposures. Rogers, Winslow's mother; Willie was stated.

Probably of more importance to Scott, James Carter, and Rolen Johnson was granted a stay of the fighting young attorneys who Yancey gave excellent testimony execution of his sentence for 60 days by Judge William H. Sar-

are credited with being the first for the defense. Negro attorneys to defend a Negro. The trouble which led to the ~~geant~~, who presided at his trial, indicted for murder in a Richmond death of Daniels is alleged to have after defense counsel had filed court in the last ten years, was started because Daniels at the point notice of an appeal to the appellate the epoch making point that they of a pistol had taken a gun from tribunal.

succeeded in placing a Negro, Al-Winslow three days prior to the fi- With the action of Judge Sar- bert B. Minnis on the jury which had battle.

listened to the case.

Three other Negroes Garfield Dickerson, William H. Carter, and Robert R. Roper were summoned for jury service but were not used.

Bullet Wounds Confuse

The sensational slaying of Daniels was veiled with much mystery. City Coroner James H. Whitfield, stated that Daniels was killed by a 15 calibre bullet, but had two other wounds in his body that were made by a .38 calibre gun.

The defendant, Winslow, entered a not guilty plea to the murder indictment, but admitted that he unloaded a .38 calibre pistol in his gun battle with Daniels in the front room of a small flat on 28th St. Self defense, was his plea, charg- The arrival in the city on Tues- ing that Daniels fired the first day of Bernard Ades of Baltimore, famous for his handing of the shot.

Only two other persons, the Dan-Euell Lee case in Maryland, to be bridge brothers, were in the room come associated with the defense, Hazelwood Dandridge who was the latest development in the used as a defense witness coro-Robert Lee Johnson case. be made to the Virginia Supreme

borated the testimony given by Mr. Ades, who will take the Court of Appeals or one of the Winslow.

place of Louis Lee Giv, court-ap- judges, for a writ of error, it was

pointed defense counsel in the stated.

Star Witness Cracks According to defense counsel, a The state's star witness, Eliza-Johnson case, left almost im- beth Fields, proved to be a ~~co~~mediately for Newport News to motion for a further stay of exe- in the defense when under the confer with H. Clay Marette, as- cution of Johnson's sentence will be rapid-fire cross examination o associate defense counsel, but return made in Corporation Court in a few Atty. Hopkins, she was forced tied here on Wednesday for his first days, and this procedure will be admit that she had been living with conference with Johnson, who is followed until the petition for the the deceased, Willie Daniels, for under a life sentence following his writ is either granted or denied. more than a year and further, the conviction for the slaying of she knew that he was a marrie(Patrolman Benjamin H. Butts on man. She admitted that she slept New Year's Eve night.

## BERNARD ADES ENTERS ROBERT JOHNSON CASE

### Expect Negro Jury Issue To Be Raised

# HECKLERS HIT HOUSTON HERE

*Amsterdam news*  
Disrupt Testimonial  
to Spingarn With  
Crawford Case

2-16-35  
*newspaper*  
From behind the bars of a Virginia prison, where he is serving two consecutive life sentences for the murder of a white sportswoman and her maid, George Crawford became "Banquo's Ghost" at a testimonial dinner tendered Arthur B. Spingarn, chairman of the national legal committee of the N. A. A. C. P., at Hotel Lismore, Seventy-third street, Tuesday evening.

The Crawford case was injected into the proceedings when two white diners, one of them a member of the dinner committee, heckled Charles H. Houston, toastmaster (and former Crawford counsel for the N. A. A. C. P.), soon after he began his introductions. The hecklers revived published charges that Crawford had not been adequately defended at his trial.

"Will you not answer now the opportunity to command the Richmond charges made by Margaret Gruening News-Leader on the manner it handled as regards the Crawford case," asked Miss Deborah Frank, who was listed the news coverage in the case of Philip as a member of the dinner committee. The man gave his name as Saul Tarson.

"Now is not the time," replied Mr. Houston.

"Why is now not the time?" the ren. For the first time perhaps in the couple inquired together.

"This is Mr. Spingarn's dinner; see me afterwards and I'll be glad to answer," Mr. Houston answered.

"Are you not running away from those charges?"

Houston denied that he was running away and the questions from the interrupting couple were deadened by boos from the 200 assembled guests. The couple left. Prof. Paul Llewellyn of the Columbia University Law School, at this point, commended Dean Houston for his handling of the Crawford case.

Dr. Mordecai W. Johnson, president of Howard University, then paid tribute to Mr. Spingarn for the encouragement which he had given to colored lawyers and to a few young Southerners to be willing to carry to the courts cases involving the citizenship rights of Negroes.

Attorney Arthur Garfield Hays who figured in the Sweet case, and William Hastie, assistant solicitor in the Department of the Interior, gave addresses, each pointing out how important is the legal work of the association and the part Mr. Spingarn has played in it.

Two-minute greetings were delivered by Mary White O'Connor, treasurer of the N. A. A. C. P.; Atty. Charles H. Studin, law partner of Mr. Spingarn; Dr. Louis T. Wright, chairman of the board, N. A. A. C. P.; Atty. Herbert K. Stockton; Nathan R. Margold, solicitor, U. S. Department of Interior; Louis Redding, only Negro lawyer in the state of Delaware; Prof. Paul Llewellyn; Walter W. and Joel E. Spingarn, brother of the guest of honor, president of the N. A. A. C. P., and for 25 years a member of its board.

In responding, Arthur B. Spingarn laid little stress on his own contributions, but praised the devotion of men like Louis Marshall and Morefield Storey, who stood the brunt of the important tests of residential segregation, the Arkansas riot case and other discriminatory measures and decisions. He also made a plea for the support of the work of the organization.

"For lack of money, we have sat in the office and seen innocent Negroes jailed and even sentenced to death," he declared. "Cases come to our desks which we cannot carry out because, although we may find lawyers in the North and in the big cities who will give their services free, we must send, or pay for, counsel in the South."

## HAIL! THE RICHMOND NEWS LEADER

*Planet*  
THE RICHMOND PLANET takes this day for the murder of two small children in the electric chair at the Virginia State Penitentiary on Monday.

As regards the Crawford case, published by white persons, the details of a crime by a Negro against white persons was not given front page publicity accompanied by glaring headlines and inflammatory photographs. On the day of the execution, one had to search through the News-Leader to find the fact that Jones had paid the penalty for his crime. 3-16-35

Its treatment of the news in this case was consistent with its announced policy to treat

*Richmond*  
"crime as crime, to be detected and punished as such without regard to the race or station of any culprit."

We quote from an editorial which appeared in the News Leader following the trial of Jones:

"Readers may have noticed that The News-Leader has given little prominence

to the trial of Phillip Jones at Fincastle. **SLAYING IN VIRGINIA**  
**CONFESSED BY NEGRO**

WASHINGTON, June 20.—(P)—J. Edgar Hoover, director of the Federal Bureau of Investigation, tonight announced that Earl Conner Williams, negro, 23, had confessed to the murder of Fannie Kurz, who with her companion, George Milton Brown, was attacked at Spotsylvania national military park near Fredericksburg, Va., the night of May 20, 1934.

Hoover said Williams was arrested May 28 at Iuka, Miss., by Deputy Sheriff C. L. Pace on a charge of vagrancy and later surrendered to federal agents as a result of a circular issued by the Justice Department.

"The newspaper must serve its function and must leave no room for any allegation that it is suppressing fact or glossing over crime."

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